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Colorado

State Division of Public Health



LAWS, RULES AND REGULATIONS
(Revised 1942)

Issued by the
COLORADO STATE BOARD OF HEALTH
424 State Office Building
DENVER

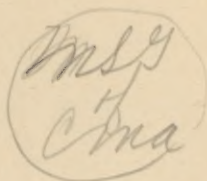
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BY-LAWS
of the
COLORADO STATE BOARD OF HEALTH

Adopted at a Regular Meeting of the Board, April 3, 1941.

Article I

OFFICERS OF THE BOARD

Section 1. The officers of the Board shall be President, Vice-President and Secretary.

Sec. 2. All elections shall be by ballot.

Article II

DUTIES OF OFFICERS

Section 1. The President shall preside at all meetings of the Board, appoint committees, be ex-officio a member of all committees and perform such other duties as parliamentary custom requires.

Sec. 2. The Vice-President shall act in the absence of the President.

Sec. 3. The Secretary of the Board shall be a physician licensed to practice medicine in the State of Colorado and is experienced in public health work. He shall keep the records and conduct the correspondence of the Board, and shall be the custodian of all books, documents, furniture, and other property belonging to the Board or to the Division of Public Health. He shall give proper and timely notice in writing of every regular and special meeting to each member of the Board, and shall, as executive officer, perform such other duties as are assigned by the public health laws of Colorado, or by these By-laws, and such other duties as the Board may from time to time direct. The Secretary of the Board shall be the chief executive officer of the Division of Public Health, and through the heads of the various divisions, shall have general supervision over it.

Article III

Section 1. The Board shall meet regularly each month between the first and sixth day of each calendar month, the place, date and hour of meeting to be set by the Secretary.

Sec. 2. Special meetings may be called by the President or Secretary at such time and place as shall be designated, and shall be called whenever requested in writing by three members of the Board.

Article IV

ORDER OF BUSINESS

Section 1. The order of business at all meetings, except by unanimous consent or majority vote, shall be as follows:

1. Roll call.
2. Reading minutes of last regular or special meeting.
3. Report of Secretary.
4. Reports of committees.
5. Unfinished business.
6. New and miscellaneous business.
7. Elections.
8. Adjournment.

Article V

ANNUAL REPORT

Section 1. Biennially on the first day of January, or as soon thereafter as practicable, the Secretary shall file in the office of the Governor a report of the activities of the Board and the executive officer during the biennium, including also such recommendations as may seem necessary and proper. Prior to filing the said report and recommendations, they shall, at a regular or special meeting, be submitted to the Board for approval.

Article VI

Section 1. The Board recognizes fourteen divisions in the Division of Public Health as follows:

1. Division of Administration
2. Division of Epidemiology and Local Health Work
3. Division of Venereal Disease Control
4. Division of Tuberculosis Control
5. Division of Sanitary Engineering
6. Division of Industrial Hygiene
7. Division of Food and Drugs and Restaurant Inspection
8. Division of Laboratory
9. Division of Vital Statistics
10. Division of Plumbing Inspection
11. Division of Maternal and Child Health
12. Division of Dental Health
13. Division of Crippled Children
14. Division of Public Health Nursing

Article VII**RULES OF ORDER**

Section 1. The parliamentary procedure of the Board when in session shall be governed so far as practicable by Roberts Rules of Order.

Article VIII**EMERGENCIES**

Section 1. Under the powers of the act creating this Board, each member thereof shall be a deputy of the Board and shall have and exercise all the powers that are conferred upon this Board, when it shall be necessary for him to act for the purpose of meeting extraordinary emergencies.

Sec. 2. It shall be the duty of each member of the Board to exercise the authority given to him in Sections 2 and 4, Chapter 78, 1935 Colorado Statutes Annotated, and thus augment the usefulness of the Board by reporting his investigations, inspections, observations and opinions relating to any matters affecting the lives and health of the people.

Article IX

Section 1. These By-Laws may be amended at any regular meeting of the Board, by a two-thirds vote of the members of the Board, providing the amendment was submitted to the Board in writing and read at a previous regular meeting, after notice in writing to all of the members of the Board.

Sec. 2. All By-Laws of the Board in existence prior to this date, all motions or resolutions in conflict with these By-Laws are hereby repealed.

COLORADO STATE LAWS

RELATING TO PUBLIC HEALTH

Administrative Code of 1941—An Act relating to the reorganization of State Government as enacted by the Thirty-Third General Assembly of the State of Colorado.

The Division of Public Health. The Governor shall be the head of the Division of Public Health and, subject to his supervision, the State Board of Health as now organized and existing shall be in immediate control of said division. The Secretary of the said Board shall be the chief executive officer of this subdivision and shall be a physician licensed to practice medicine in the State of Colorado who is experienced in public health work. Except as herein expressly amended or as necessarily modified, the public health laws of the State as now and heretofore existing shall remain in full force and effect; provided, that the Secretary of the said Board shall not, without the approval of said Board, order a quarantine covering or embracing a district larger than a city or town as to any epidemic disease.

The Division of Public Health shall:

1. Exercise all the rights and powers and perform all the duties now and heretofore vested in or imposed by law upon the State Board of Health, its officers, assistants and employees;

2. Exercise all the rights and powers and perform all the duties heretofore vested in or imposed by law upon the Meat and Slaughter Plant Inspector, his deputies and employees;

3. Exercise all the rights and powers and perform all the duties heretofore vested or imposed by law upon the State Chemist and his employees;

4. Have and exercise all the rights and powers and perform all the duties now and heretofore vested in or imposed by law upon the State Board of Barber Examiners, insofar as rules of sanitation, public health and sanitary conditions of barber shops and implements are concerned;

5. Have and exercise all the rights and powers and perform all the duties now and heretofore vested in or imposed by law upon the State Board of Cosmetologists, insofar as rules of sanitation, public health and sanitary condition of beauty shops and other working places are concerned;

6. Have and exercise all the rights and powers and perform all the duties now and heretofore vested in or imposed by law upon the State Board of Embalming Examiners relative to sanitation and the

disinfection of bodies of deceased persons and of the bedding, clothing and dwelling places in case of death by infectious or contagious disease.

Specifically and by way of extension and not of limitation, the Division of Public Health shall have power:

1. To supervise and protect the health of the people of the State and in connection therewith, by way of extension and not of limitation, to make or approve standard serological tests, prepare and distribute forms of certificates relative thereto, upon request make said tests, and do all other things relative to the control of venereal disease now required or permitted by law;

2. To act in an advisory capacity relative to public water supply, water purification works, sewerage systems, sewerage treatment works, and to exercise supervision over nuisances growing out of the operation of such water and sewerage works, and to make, promulgate and enforce rules and regulations relating to such nuisances;

3. To make such sanitary investigations as may from time to time be deemed necessary for the preservation and improvement of public health;

4. To make investigations and inquiries with respect to the causes of disease, especially epidemics; to investigate the causes of mortality, and the effect of localities and other conditions on public health; and to make such other sanitary investigations as may be deemed necessary for the preservation and improvement of the public health;

5. To keep informed of the work of the local health officers and agencies throughout the State;

6. To promote the information of the general public in all matters pertaining to public health;

7. To make sanitary, sewerage, health, and other inspections and examinations for the charitable and penal institutions and other State institutions;

8. To inspect from time to time all hospitals and sanatoria and other institutions conducted by county, city or town authorities, and to report as to the sanitary conditions and interests of such hospitals, sanatoria, and institutions to the official authority having jurisdiction over them;

9. To license and inspect restaurants and establish sanitary conditions therein, as required by law.

(a) The Division of Public Health shall have power and authority, within the limits of appropriations made by the General Assembly or other revenues belonging to such divisions, to print, publish and distribute documents, reports, bulletins, certificates and other material relating to the prevention of disease and the health and sanitary conditions of the State.

(b) The Division of Public Health shall have no revenue or license collecting functions, and all such functions of any board, bureau or agency the powers and duties of which are transferred by this Act to the Division of Public Health, are hereby transferred to and vested in the Department of Revenue. Nothing herein contained shall be construed to repeal, alter or impair the right and duty of the Division of Public Health under the provisions of this Act or existing law, to fix and determine the amount of any tax or license fee in conformity with law, but when any such tax or license fee is thus fixed and determined, the same shall be certified by the appropriate office or officer to the Department of Revenue for collection.

HEALTH

Chapter 78, Colorado Statutes Annotated, 1935

Article 1. State Board of Health.

Section

1. Members—Term—Vacancies—Officers.
2. Powers and duties.
3. Meetings of board—Fill offices vacant.
4. Secretary—Office—Duties.
5. Vital statistics.
6. Physicians and local boards to report to state board.
7. Information furnished to state board.
8. Board to make by-laws—Member subject to removal for disobedience.
9. Appropriation for protection against contagious diseases.
10. Secretary of state to provide office and supplies.
11. Expenditure of funds.
12. Treasurer to keep account of moneys—Report.
13. Local health officers—Appointment.
14. State Board to act when local board refuses—Prosecution of local board for refusal.
15. Disinfection of dangerous material—Importation of infected material.
16. Systems of inspection to prevent introduction of cholera, etc.
17. Railroad official to notify health officer of contagious disease.
18. Cholera or smallpox on train—Duty of conductor.
19. Rules of inspection—Penalty for violation.
20. Complaint filed with justice of peace.
21. Penalty for disobedience of order of health board.

Article 2. Division of Sanitary Engineering. (See Sanitary Engineering Section)

22. Creation of division.
23. State Board of Health to make rules governing division—Director and employes.
24. Personnel of division—Qualifications of director and employes.
25. Examination of water, sewage, etc.—Method of analysis.

Article 3. Local Boards of Health.

26. County board of health.
27. Municipal board of health.
28. Board to appoint health officers—Term—Salary.
29. Health regulations—Violations.
30. Dead animals burned or buried—Penalty for violation.
31. Board may remove nuisances, filth and causes of sickness.
32. Regulations as to privies and water closets.

Section

33. Board to cause unhealthy premises to be cleaned—Unsafe structures removed.
34. Board to recover expense for abating nuisance.
35. Owner or occupant of private property to remove nuisance—Penalty for failure.
36. Board to remove when owner fails.
37. Upon conviction, court to order nuisance to be abated.
38. Stay warrant of conviction upon security.
39. Expense of abating—Execution—Sale—Proceeds.
40. Board refused admittance to premises—Complaint made to justice of the peace.
41. Justice to issue warrant—Contents.
42. Warrant to remove contagious disease.
43. Quarantine of baggage, clothing and suspected goods.
44. Same—Removal of goods for safe keeping.
45. Officer may break building to secure goods—Call aid.
46. County, city or town to pay expense—Jurisdiction of police magistrate.
47. Nurses and attendants employed entitled to compensation.
48. Appoint persons to examine passengers or restrain from coming into state.
49. Regulations concerning imported articles.
50. Quarantine ground.
51. Joint quarantine ground.
52. Quarantine regulations.
53. Expenses of quarantine.
54. Board to direct removal of diseased person from county jail.
55. Order of removal returned to clerk of court.
56. Removal of persons from poor house or hospital infected with contagious disease.
57. Permit for removal of infected article or person.
58. Care of persons infected with contagious disease.
59. When person cannot be moved.
60. Inhabitants may establish hospitals for care of contagious diseases.
61. Regulations governing hospitals for contagious diseases.
62. Attendants subject to regulations.
63. Hospitals for care of epidemic of contagious diseases.
64. Prevention of spread of contagious disease.
65. Physician or other person violating regulations—Penalty.
66. Householder to give notice of contagious disease.
67. Inoculation.
68. Physician to give notice of contagious disease—Penalty for failure to give notice.
69. Investigation and disposition of contagious disease by health officer—Notify Board of Health.
70. Compensation of health officer.
71. Registry of births and deaths by attendants.
72. Report of antitoxin products sold.

Section

73. Violation of two preceding sections.
74. Monthly reports of local boards of health.
75. Secretary to provide blanks for reports.
76. Board may assign location for business detrimental to public health.
77. Revocation of assignment by district court.
78. Damages occasioned by nuisance—Action.
79. Board may order removal of cemetery.
80. Notice of health regulations given by publication.
81. Jurisdiction of courts over nuisances.
82. Domestic animals affected with contagious or infectious disease.
83. Selling, shipping or allowing diseased animals to run at large—Penalty.
84. Penalty for bringing diseased animal into state.
85. Sale of diseased meat—Penalty.
86. Sale of adulterated food or drink—Penalty.
87. Adulteration of drugs and medicines.
88. Mix, color, stain or powder articles of food with injurious ingredient.
89. Mix, color, stain or powder any drug or medicine.
90. Mix, color, stain or powder any food, drink or medicine without labeling—Penalty.
91. Adulterated foods must be marked.
92. Violation of sections—Penalty.
93. District attorneys to prosecute.
94. Unlawful to sell impure or adulterated milk.
95. Violation of preceding section—Penalty.
96. Milk inspector—Compensation—Duties.
97. Selling skimmed milk—Penalty.
98. Sale of poison without marking—Penalty.
99. Unlawful to sell or advertise substance to procure abortion.
100. Drug or medicine producing abortion sold only on prescription—Registered.
101. Penalty for violation of three preceding sections.
102. Advertisement of substances to cure private diseases, prevent conception or procure abortion unlawful—Penalty.
103. Puerperal fever—Suspension of physician.

Article 4. Vital Statistics. (See Vital Statistics Section)

104. Board of Health to supervise registration of births and deaths.
105. Board of vital statistics—Registrar.
106. Registration districts established.
107. Local registrar—Duties—Deputy—Subregistrars.
108. Burial permit—Removal permit.
109. "Still birth," how registered.
110. Contents of certificate of death.
111. Death without medical attendance—Investigation—Disposition of body—Burial certificate.

Section

- 112. Undertaker's duty to file certificate of death.
- 113. Contents of burial permit.
- 114. No interment without permit—Sexton's duty.
- 115. All births shall be registered.
- 116. Certificate of birth to be filed.
- 117. Contents of certificate of birth.
- 118. Adopting parent may have certificate of identification issued.
- 119. Judge to issue certificates of identification—Fee.
- 120. Form of certificate.
- 121. Board to furnish birth certificates of illegitimate children.
- 122. Supplemental report.
- 123. Physicians, midwives and undertakers shall register.
- 124. Report of hospital superintendents.
- 125. Registrar to furnish blanks—Records preserved.
- 126. Duties of local registrar.
- 127. Fees of local registrar.
- 128. Certified copy of certificate.
- 129. Penalties for failure to comply with requirements of article.
- 130. Registrars to enforce article—Violations reported to district attorney.
- 131. Death resulting from accident reported to coroner.
- 132. Penalty for violation of article.

Article 5. Hospitals, Lying-in Hospitals and Maternity Homes. (See Hospital Section)**Subdivision 1. Private Hospitals—Dispensaries.**

- 133. Hospitals—Maternity homes—Licensed.
- 134. License—Application—Issuance.
- 135. Same—Refusal—Revocation—Notice.
- 136. Quarterly report.
- 137. Disposal of children.
- 138. License—Fee—Revoked for cause—Penalty.

Subdivision 2. Lying-in Hospitals—Maternity Homes.

- 139. Maternity homes and hospitals—License.
- 140. License—Application—Issuance.
- 141. Same—Refusal—Revocation—Protests—Hearings.
- 142. Disposition of children.
- 143. Licensees' reports—Penalties.
- 144. Maternity hospital defined.
- 145. Colorado State Board of Health to direct and enforce regulations.
- 146. Adoption of children.
- 147. Name of patient reported to Colorado State Board of Health.
- 148. Records not public.
- 149. Not to operate hospital without license—State Board of Health to make rules—Violation of sections—License revoked.

Section

- 150. Liberal construction in order to safeguard interests of illegitimate children—Known fathers to pay expenses.
- 151. Violation of sections—Penalty.

Subdivision 3. Detention Home for Women.

- 152. Women suffering with venereal diseases.
- 153. State Board of Health to provide home and treatment.
- 154. Women committed to home—May demand trial.
- 155. Jurisdiction of courts—Jury.
- 156. Duration of commitment.
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- 160. Matron and employes.
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Subdivision 4. Venereal Diseases. (See Venereal Control Section)

- 163. Venereal diseases declared dangerous to public health.
- 164. Department of venereal diseases—Director—Assistance.
- 165. Venereal cases must be reported to authorities—When name of patient to be reported.
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- 167. Health officers to examine suspected cases—Quarantine—Treatment.
- 168. Examination and treatment of persons confined or imprisoned—Isolation.
- 169. Rules and regulations have effect of law.
- 170. Violation of subdivision—Penalty.

Subdivision 5. Tuberculosis. (See Tuberculosis Control Section)

- 171. Tuberculosis reported to health officer.
- 172. Report blanks—Diagnosis—Open cases.
- 173. Examination of sputum.
- 174. Register of reports and examinations.
- 175. Disinfection of apartments vacated by tubercular.
- 176. Same—Expense.
- 177. Failure to disinfect—Premises placarded.
- 178. Tubercular nuisance—Complaint—Abatement—Failure—Penalty.
- 179. Physician to provide for safety of other inmates.
- 180. Circular of precautionary information.
- 181. Failure to report—False statement—Penalty.
- 182. Report of recovery of patient.
- 183. Violation of subdivision—Penalty.
- 184. Jurisdiction—Justice of the peace and police magistrate.

Subdivision 6. Mattresses and Bedding. (See Mattress and Bedding Section)

Article I

STATE BOARD OF HEALTH*

Section 1. Members—Term—Vacancies—Officers. A board of health is hereby established, which shall be known under the name and style of the State Board of Health. It shall consist of nine members, who shall be appointed by the governor; and the members first appointed shall be so designated by the governor that the term of office of three shall expire every two years, on the last day of January. Thereafter the governor, with the consent of the senate, shall biennially appoint three members to hold their offices for six years, ending January 31st. Any vacancy in the said board may be filled, until the next regular session of the general assembly by the governor. Every two years the board shall elect from its own members, persons to fill the offices of president, secretary and treasurer, and for the purposes of this election, and for organization, the board shall convene at the call of the president so soon after the meeting of the general assembly as may be convenient. (L. '93, p. 397, sec. 1; R. S. '08, sec. 5009; C. L., sec. 870.)

The state board of health was made a division of the executive department by the Administrative Code. See Ch. 3, § 10.

Should the auditor refuse to audit and allow claims arising under this act, the courts are open to the aggrieved parties to have such action reviewed in a proper proceeding. In re Priority of Legislative Appropriations, 19 Colo. 58, 62, 34, § 277.

Sec. 2. Powers and duties. The State Board of Health shall have general supervision of the interests of health and life of the citizens of this state. They shall especially study the vital statistics of the state and endeavor to make intelligent and profitable use of the collected records of death and sickness among the people. They shall carefully study the influence of the climate upon disease and health in different localities in the state for the benefit of the citizens thereof, as well as for the large number of invalids who seek relief in Colorado. They shall make sanitary investigations and inquiries respecting the causes of disease, and especially epidemics, the causes of mortality; and the effect of localities, employment, conditions, ingesta, habits and circumstances on the health of the people. They shall, when required, or when they deem it best, advise with the officers of the government, or other state boards, in regard to the location, drainage, water supply, disposal of excreta, heating and ventilation of any public structure or building. They shall, from time to time, recommend standard works on the subject of hygiene for the use of schools of the state. (L. '93, p. 398, sec. 2; R. S. '08, sec. 5010; C. L., sec. 871.)

The state board of health has charge of the detention home for women. See § 153 of this chapter. As to duty of the state board of health to supervise the registration of births and deaths, see § 104 of this chapter. As to duty of state board of health to prescribe rules and regulations under pure food act, see Ch. 69, § 2.

Sec. 3. Meetings of board—Fill offices vacant. The board shall meet semi-annually at Denver, and at such other places and times as they may

*The state board of health is authorized to license restaurants and enforce the provisions of the act providing for the preparation and sale of food by restaurants. See Ch. 81, pp. 16 and 17. As to the power of state board of health to make rules and regulations governing plumbing, drainage and sewerage of buildings, see ch. 126, § 1 et seq. As to sanitary regulations applicable to factories and other buildings, see Ch. 97, § 52 et seq.

deem expedient. A majority shall be a quorum for the transaction of business. Should the office of president or secretary become vacant, by death or otherwise, the board may fill said office from their number at the next regular meeting. (L. '93, p. 398, sec. 3; R. S. '08, sec. 5011; C. L., sec. 872.)

Sec. 4. Secretary—Office—Duties. The secretary shall keep his office at Denver, and shall perform the duties prescribed by this article or required by the board. He shall keep a record of the transactions of the board; shall have custody of all books, papers, documents and other property belonging to the board which may be deposited in the office; shall, so far as practicable, communicate with other state boards of health, and with local boards of health within the state; he shall keep and file all reports received from such boards; and all correspondence of the office appertaining to the business of the board. He shall, so far as possible, aid in obtaining contributions to the library and museum of the board. He shall prepare blank forms of returns and such instructions as may be necessary, and forward them to the clerks of the several boards of health throughout the state. He shall collect information, with the assistance of each member of the board, concerning vital statistics, knowledge respecting disease, and all useful information on the subject of hygiene and through an annual report and otherwise, as the board may direct, shall disseminate such information among the people. It shall be his duty to act as correspondent in answering all inquiries made by non-resident physicians and invalids who are at liberty to call upon him for special information as to the sanative influence of the climate. (L. '93, p. 398, sec. 4; R. S. '08, sec. 5012; C. L., sec. 873.)

The secretary is the state registrar of vital statistics. See § 105 of this chapter.

Sec. 5. Vital statistics. The State Board of Health shall have the general direction and control of the system of vital statistics of the state, in so far as the editorial work and statistical plans of the same are concerned. (L. '93, p. 399, sec. 5; R. S. '08, sec. 5013; C. L., sec. 874.)

See § 104 et seq. of this chapter.

Sec. 6. Physicians and local boards to report to state board. It shall be the duty of all health physicians and also of the clerks of local boards of health of each town, village and city, and the regular physician of each public institution in the state, at least once in each year, to report to the State Board of Health their proceedings and such other facts as may be required by said state board. (L. '93, p. 399, sec. 6; R. S. '08, sec. 5014; C. L., sec. 875.)

As to duty of local health officer to notify state board of health of contagious diseases, see § 69 of this chapter. As to duty of local boards of health to report births and deaths to state board of health, see § 74 of this chapter.

Sec. 7. Information furnished to state board. In order to afford the board better advantages for obtaining knowledge important to be incorporated with that collected through special investigation, and from other sources, it shall be the duty of all officers of the state, the clerks and physicians to all municipal boards of health, the physicians to all mining or other incorporated companies, or the president or agent of any company

chartered, organized or transacting business under the laws of this state, so far as is practicable, to forward to the State Board of Health any information which they possess bearing upon public health which may be requested by said board for the purpose of enabling it better to perform its duties of collecting and distributing useful knowledge on the subject. (L. '93, p. 399, sec. 7; R. S. '08, sec. 5015; C. L., sec. 876.)

Sec. 8. Board to make by-laws—Member subject to removal for disobedience. The board of health shall have power to make by-laws and all needful rules and regulations for its own government; and any member failing to obey said by-laws, or to comply with the said rules and regulations, shall be subject to removal, upon a vote of the majority of the members of said board, and upon certification of the same to the governor of the state by the secretary of the board, the governor shall declare the office vacant, and immediately fill the vacancy by the appointment of some other person. (L. '93, p. 400, sec. 8; R. S. '08, sec. 5016; C. L., sec. 877.)

Sec. 9. Appropriation for protection against contagious diseases. Whenever in the opinion of the governor it may be deemed necessary to draw from the general fund, on the warrant of the auditor, not to exceed the sum of five thousand dollars, which sum is hereby appropriated out of any funds in the treasury not otherwise appropriated, to be used by the State Board of Health, to prevent the introduction or spread, in this state, of cholera or other communicable diseases dangerous to public health, such warrant or warrants may be drawn for such amounts as may be deemed necessary for said purpose. (L. '93, p. 400, sec. 11; R. S. '08, sec. 5017; C. L., sec. 878.)

Sec. 10. Secretary of state to provide office and supplies. The secretary of state shall provide a suitable room for the meetings of the board at Denver, and office room for its secretary. The secretary of state shall furnish such stationery and printing as may be required for the official work of the board. (L. '93, p. 400, sec. 11; R. S. '08, sec. 5018; C. L., sec. 879.)

Sec. 11. Expenditure of funds. All moneys received by the board from the state shall be expended in the manner deemed best by the board for carrying out the objects for which it was created. (L. '93, p. 401, sec. 12; R. S. '08, sec. 5019; C. L., sec. 880.)

Sec. 12. Treasurer to keep account of moneys—Report. The treasurer of the board shall keep careful account of all moneys received and disbursed by the board, taking vouchers and receipts therefor and annually make report of the same to the governor. (L. '93, p. 401, sec. 13; R. S. '08, sec. 5020; C. L., sec. 881.)

Sec. 13. Local health officers—Appointment. The State Board of Health, or the secretary of the board, may call upon the board of county commissioners of any county or on the mayor, or other chief executive of any city, town or village of Colorado to appoint some person to serve as local health officer for his respective jurisdiction, or to name the person already legally appointed; the said officer to act in cooperation with

and under the advice of the State Board of Health. (L. '93, p. 401, sec. 14; R. S. '08, sec. 5021; C. L., sec. 882.)

Sec. 14. State board to act when local board refuses—Prosecution of local board for refusal. In the event of the local board of health of any community being unable or unwilling to efficiently or promptly abate a nuisance, or to prevent the introduction or spread of any contagious or infectious disease, the State Board of Health shall have full power to take such measures as will insure the abatement of the nuisance, or prevent the introduction or spread of disease. The State Board of Health may, for this purpose, assume all the powers conferred by law on the local board of health; or the State Board of Health may, at its discretion, bring suit against or prosecute any local board of health for a wilful failure to enforce the laws of this state in regard to health, and the expense of carrying out such orders shall be borne by the local board of health so failing to enforce the law. (L. '93, p. 401, sec. 15; R. S. '08, sec. 5022; C. L., sec. 883.)

Sec. 15. Disinfection of dangerous material—Importation of infected material. Hereafter no rags or other dangerous material shall be sold or manufactured into articles to be sold, for personal use, unless such rags or material shall have been previously so thoroughly disinfected as to destroy all germs of disease in a manner satisfactory to the board of health. Rags or clothing which may be suspected of being infected, imported into the State of Colorado, for the purpose of manufacture, shall be kept closely baled and not opened until they can be immediately submitted to thorough disinfection as before described. Provided, that the State Board of Health may, at any time, for the protection of the public health, completely prohibit the importation of such rags or clothing into the state. (L. '93, p. 401, sec. 16; R. S. '08, sec. 5023; C. L., sec. 884.)

Sec. 16. Systems of inspection to prevent introduction of cholera, etc. At such points or places or on such lines of travel as there may be danger of the introduction into this state of cholera or other dangerous communicable diseases, the State Board of Health shall have power to establish such systems of inspections as may be practicable and needful to ascertain the presence of the infection of cholera or other dangerous communicable diseases in the persons of immigrants or travelers, in wearing apparel, baggage or freight; to question on oath, without cost to the state or person so questioned, which oath a duly appointed inspector of the State Board of Health is hereby authorized to administer to the immigrant, traveler or other person, as to the place from which the suspected person, baggage or freight came, the time elapsed since his or its exposure to cholera or other dangerous disease, and on other subjects on which information is needed; and the State Board of Health shall have power to order such disinfection of baggage or other articles which are infected or liable to be infected, and to cause such isolation of persons or things infected or liable to be infected, as may be necessary for the public safety, by placing it or them in the care of the local board of health, or by other practical methods, to the end that the objects of this article, expressed by its title, shall be fulfilled. (L. '93, p. 402, sec. 17; R. S. '08, sec. 5024; C. L., sec. 885.)

Sec. 17. Railroad official to notify health officer of contagious disease. If a conductor of any railroad discovers on his train a person suffering from cholera, smallpox, diphtheria, scarlet fever or any other contagious disease, he shall at once communicate, either by telegraph or telephone, with a local railroad official located nearest the point at which the case is discovered, giving the number of his train, the number of the car, the name of the patient and the nature of the disease suspected. The railroad official so informed must at once give the same intelligence to the nearest member of the State Board of Health, or to the local health officer of his own town or city. (L. '93, p. 402, sec. 18; R. S. '08, sec. 5025; C. L., sec. 886.)

Sec. 18. Cholera or smallpox on train—Duty of conductor. When a case of either cholera or smallpox is suspected to exist on any train, the conductor must see that the case is detained and left under surveillance at the nearest station, until the local member of the board of health, or other officer working in cooperation with him, arrives and takes charge of the case; provided, that the State Board of Health or its deputy may, when the danger of epidemic disease is imminent, order the detention of any train or car thereof for such time as may be necessary for the purpose of medical inspection. (L. '93, p. 403, sec. 19; R. S. '08, sec. 5026; C. L., sec. 887.)

Sec. 19. Rules of inspection—Penalty for violation. It shall be the duty of the State Board of Health to frame and publish rules for the conduct of inspection under this article. Whoever shall wilfully violate the rules of the State Board of Health, made in pursuance of this article, shall on conviction be punished as provided in the next two succeeding sections. (L. '93, p. 403, sec. 20; R. S. '08, sec. 5027; C. L., sec. 888.)

Sec. 20. Complaint filed with justice of peace. The State Board of Health may cause a complaint to be filed before any justice of the peace or county court in the county where such offense is committed and such courts shall have jurisdiction to try any cause arising under the provisions of this article. (L. '93, p. 408, sec. 21; R. S. '08, sec. 5028; C. L., sec. 889.)

Sec. 21. Penalty for disobedience of order of health board. Any person neglecting or refusing to obey an order of the State Board of Health, made under authority of this article, shall, upon conviction, be fined in a sum of not less than twenty-five nor more than three hundred dollars for every offense. (L. '93, p. 403, sec. 22; R. S. '08, sec. 5029; C. L., sec. 890.)

Article III

LOCAL BOARDS OF HEALTH

Sec. 26. County board of health. The board of county commissioners of each county shall be a board of health for their respective counties, and the county clerk shall be the clerk of said board, and shall keep a record of their proceedings, in a book to be provided for that purpose at the expense of the county. Provided, that the board of health of any city,

town or village shall have exclusive and independent control within its own jurisdiction. (L. '93, p. 376, sec. 1; R. S. '08, sec. 5030; C. L., sec. 891.)
(Applied in *County of Saguache v. Decker*, 10 Colo. 149, 152, 14 P. 123.)

Sec. 27. Municipal board of health. The mayor and council, or trustees of each incorporated town or city, whether incorporated under general statutes or special charter in this state, respecting which no other provision is or shall be made by law, shall have and exercise all the powers and perform all the duties of a board of health as provided in this article, within the limits of the cities or towns respectively of which they are such officers, and in all parts and portions of each and every county not represented by town or city organization, the board of health shall consist of the county commissioners and the clerk of the county. (L. '93, p. 376, sec. 2; R. S. '08, sec. 5031; C. L., sec. 892.)

Sec. 28. Board to appoint health officers—Term—Salary. Every board of health shall appoint one or more physicians to the board, who shall be the health officer or officers of the county, city or town for which he is appointed, and shall hold his office during its pleasure, and it shall establish his salary or other compensation, and it shall regulate all fees and charges of every person employed by it in the execution of the health laws and its own regulations. Provided, that in counties, towns, or villages where it is not practicable to secure the services of a well educated and suitable physician, the board may appoint some other person as such health officer. (L. '93, p. 377, sec. 3; R. S. '08, sec. 5032; C. L., sec. 893.)

Cross references.—See § 70 of this chapter. As to power of state board of health to require appointment of local officers, see § 13 of this chapter.

Absence of appointed physician, who employed another physician to attend to county patients, is no defense in action to recover on contract.—In an action by a physician upon a contract made with a county whereby he for a consideration agreed to furnish medicines and surgical appliances and attend, take care of and give all proper medical attention to all poor persons who might be a charge upon the county, the fact that he was absent from the county part of the time on account of sickness of himself and wife was no defense to the action, where he employed another competent physician to attend to the county patients during his absence. The employment was not one which called for personal services wherein he could not substitute another for himself. All that it required was proper medical attention, medicines, etc. *Board of County Commissioners v. Bedell*, 13 Colo. App. 261, 57 P. 187, cited in note, 31 A. L. R. 1091.

Since it would be unreasonable to hold he could not substitute another physician while absent.—Where a physician contracted with a county for a consideration to furnish all proper medicines and medical attention to all poor persons who might be a charge upon the county, it would be unreasonable to hold that he could not substitute another reputable physician in his stead during sickness or temporary absence, even if the contract was one that called for personal service. *Board of County Com'rs v. Bedell*, 13 Colo. App. 261, 57 P. 187, cited in note, 31 A. L. R. 1091.

Especially where the county commissioners use services of the substitute.—Where a county physician during his temporary absence employed another physician in his stead and a member of the board of county commissioners on several occasions, during the time, called upon the substituted physician to attend the county poor which he did, it was a recognition by the county of the employment of the substitute. *Board of County Com'rs v. Bedell*, 13 Colo. App. 261, 57 P. 187, cited in note, 31 A. L. R. 1091.

The fact that the county employed another physician is likewise no defense.—In an action by a county physician against a county upon a contract of employment for a certain period, evidence that during part of the time the county employed another physician was properly excluded, where the only defense set up in the answer was that plaintiff had failed to comply with the terms of his contract. If plaintiff had fulfilled the obligations of his contract the fact that the county employed another physician was no defense to his action. *Board of County Com'rs v. Bedell*, 13 Colo. App. 261, 57 P. 187, cited in note, 31 A. L. R. 1091.

Records inadmissible as evidence.—In an action by a county physician for compensation for his services, the record of the county poor kept in the clerk's

office and made upon after the expiration of the quarter for services during which the action was brought was properly excluded. *Board of County Com'rs v. Bedell*, 13 Colo. App. 261, 57 P. 187, cited in note, 31 A. L. R. 1091.

Sec. 29. Health regulations—Violations. The board of health shall make such regulations respecting nuisances, sources of filth and causes of sickness within its respective limits, and on board of any car, or train of cars, as it shall judge necessary for the public health and safety; and if any person shall violate any such regulations he shall upon conviction be fined in a sum not exceeding one hundred dollars. (L. '93, p. 377, sec. 4; R. S. '08, sec. 5033; C. L., sec. 894.)

Sec. 30. Dead animals burned or buried—Penalty for violation. If any person or persons shall put any dead animal or part of the carcass of any dead animal, into any lake, river, creek, pond, road, street, alley, lane, lot, field or meadow or common, or in any place within one mile of the residence of any person or persons, except the same and every part thereof be burned or buried at least two feet under ground, and if the owner or owners thereof shall knowingly permit the same to remain in any of the aforesaid places, to the injury of the health, or to the annoyance of the citizens of the state, or any of them, every person so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit and pay a sum not less than five dollars nor more than fifty dollars, together with the costs of prosecution, and in default of the payment thereof shall be imprisoned in the county jail of the county in which such conviction may be had, not exceeding ten days, to be imposed by any court of competent jurisdiction, and every twenty-four hours said owner may permit the same to remain after such conviction shall be deemed an additional offense against the provisions of this article, and upon conviction thereof he shall forfeit and pay a further sum of not less than ten dollars and not more than thirty dollars, together with the costs of prosecution, to be recovered as aforesaid, and in default of the payment thereof be imprisoned as aforesaid not more than thirty days, or be punished by both such fine and imprisonment in the discretion of the court. (L. '93, p. 377, sec. 5; R. S. '08, sec. 5034; C. L., sec. 895.)

Sec. 31. Board may remove nuisances, filth and causes of sickness. The board of health shall examine into all nuisances, sources of filth and causes of sickness, that may in its opinion be injurious to the health of the inhabitants, within its town, city or county, or in any car or train of cars within said town, city or county, and the same shall destroy, remove or prevent as the case may require. (L. '93, p. 378, sec. 6; R. S. '08, sec. 5035; C. L., sec. 896.)

Sec. 32. Regulations as to privies and water closets. Boards of health in counties, cities, towns and villages are hereby empowered to make such rules and regulations in relation to the care and cleaning of privies and water closets, within such counties, cities, towns or villages as it may deem desirable for the preservation of the health of any of the inhabitants thereof, or such boards may declare any such privy or water closet a

nuisance and the abatement thereof be by them ordered and enforced. (L. '93, p. 378, sec. 7; R. S. '08, sec. 5036; C. L., sec. 897.)

Nothing in this section confers power upon a city to compel the owner of a lot on which is standing an unused privy, with no other building or structure, to connect such privy with the public sewer. *Gault v. Fort Collins*, 57 Colo. 324, 142 P. 171, Ann. Cas. 1916B, 718, cited in notes, L. R. A. 1918C, 261, Ann. Cas. 1916D, 213.

An ordinance provided that "Every privy belonging to any resident, etc., located upon any lot abutting upon or near any street or alley through which is a sanitary sewer shall be connected by the owner, etc., with such sewer." In a prosecution to recover the penalty prescribed for a violation of this ordinance the court will not consider the regulations of the board of health, nor those for the abatement of nuisances. *Id.*

Sec. 33. Board to cause unhealthy premises to be cleaned—Unsafe structures removed. If any cellar, vault, lot, sewer, drain, place or premises within any city shall be damp, unwholesome, offensive or filthy, or be covered any portion of the year with stagnant or impure water, or shall be in such condition as to produce unwholesome or offensive exhalations, the board of health may cause the same to be drained, filled up, cleaned, amended or purified; or may require the owner or occupant or person in charge of such lot, premises or place to perform such duty; and may require the owner or occupant of any building, fence or structure, which may be ruinous, or liable to fall and injure persons or property, to pull down or remove the same; or the board of health may cause the same to be done by the proper officers of the city. (L. '93, p. 378, sec. 8; R. S. '08, sec. 5037; C. L., sec. 898.)

Sec. 43. Board to recover expense for abating nuisance. If any person, corporation or company shall neglect to remove or abate any nuisance, or to perform any requirement made by or in accordance with any ordinance or resolution of the board of health, for the protection of the health of the inhabitants, and if any expense shall be incurred by the board in removing or abating such nuisance, or in causing such duty or requirement to be performed, such expense may be recovered by the board in an action of debt or assumpsit against such person, corporation or company. And in all cases where the board shall incur any expense for draining, filling, cleaning or purifying any lot, place or premises, or for removing any unsafe building or structure, or for removing or abating any nuisance found upon such lot or premises, the board may, in addition to all other remedies, provide for the recovery of such expense, charge the same or such part thereof as they shall deem proper upon the lot or premises, upon or on account of which such expense was incurred, or from which such nuisance was removed or abated and cause the same to be assessed upon such lot or premises and collected as a special assessment. (L. '93, p. 379, sec. 9; R. S. '08, sec. 5038; C. L., sec. 899.)

Sec. 35. Owner or occupant of private property to remove nuisance—Penalty for failure. Whenever any such nuisance, source of filth, or cause of sickness shall be found on private property, the board of health shall order the owner or occupant, or such person or persons who shall have caused or permitted such nuisance, at his own expense to remove the same within twenty-four hours, and in default thereof he, she, or they shall forfeit a sum not exceeding one hundred dollars at the suit of the county commissioners of the proper county, or the board of proper city,

town or village, and for the use of the board of health (if one exists) of the city or town where the nuisance is found. (L. '93, p. 379, sec. 10; R. S. '08, sec. 5039; C. L., sec. 900.)

Sec. 36. Board to remove when owner fails. If the owner or occupant shall not comply with such order of the board of health, such board may cause the said nuisance, source of filth, or cause of sickness to be removed, and all expense incurred thereby shall be paid by the said owner or occupant or by such other person who shall have caused or permitted the same. (L. '93, p. 379, sec. 11; R. S. '08, sec. 5040; C. L., sec. 901.)

Sec. 37. Upon conviction, court to order nuisance to be abated. Whenever any person shall be convicted of maintaining a nuisance that may be injurious to the public health and safety, the court may in its discretion order it to be abated, removed or destroyed, at the expense of the defendant under the direction of the board of health of the town, city or county where the nuisance is found, and the form of the warrant to the sheriff or other officer may be varied accordingly. (L. '93, p. 380, sec. 12; R. S. '08, sec. 5041; C. L., sec. 902.)

Sec. 38. Stay warrant of conviction upon security. The court may, on the application of the defendant, order a stay of such warrant for such time as may be necessary, not exceeding six months, to give him an opportunity to remove the nuisance upon his giving satisfactory security to do so within the time specified in the order. (L. '93, p. 380, sec. 13; R. S. '08, sec. 5042; C. L., sec. 903.)

Sec. 39. Expense of abating—Execution—Sale—Proceeds. The expense of abating and removing the nuisance pursuant to such warrant shall be collected by the officer in the same manner as damages and costs are collected upon execution excepting that the materials of any buildings, fences or other things, that may be removed as a nuisance, may be sold by the officer, in like manner as goods are sold on execution for the payment of debts; and the officer may apply the proceeds of such sale to defray the expenses of the removal, and shall pay over the balance thereof, if any, to the defendant upon demand, and if the proceeds of the sale are not sufficient to defray the said expenses, he shall collect the residue thereof as before provided. (L. '93, p. 380, sec. 14; R. S. '08, sec. 5043; C. L., sec. 904.)

Sec. 40. Board refused admittance to premises—Complaint made to justice of the peace. Whenever the board of health shall think it necessary for the preservation of the lives or health of the inhabitants to enter any building, car or train of cars, in their town, city or county for the purpose of examining into and abating, removing or preventing any nuisance, source of filth or cause of sickness, or danger to life or limb, and shall be refused such entry, any member of the board may make complaint under oath to any justice of the peace of his county, whether such justice be a member of the board of health or not, stating the facts of the case as far as he has knowledge thereof. (L. '93, p. 380, sec. 15; R. S. '08, sec. 5044; C. L., sec. 905.)

Sec. 41. Justice to issue warrant—Contents. Such justice may thereupon issue a warrant, directed to the sheriff or any constable in the county, commanding him to take sufficient aid, and being accompanied by any two or more members of said board of health, between the hours of sunrise and sunset, to repair to the place where such nuisance, source of filth, cause of sickness or danger to life or limb, complained of may be, and destroy, remove or prevent the same under the direction of such members of the board of health. (L. '93, p. 381, sec. 16; R. S. '08, sec. 5045; C. L., sec. 906.)

Sec. 42. Warrant to remove contagious disease. Any justice of the peace may make out a warrant under his hand, directed to any sheriff or any constable of the county in and for which he is justice of the peace requiring him, under the direction of the board of health, to remove any person infected with contagious sickness, or take possession of convenient houses and lodging and provide nurses, attendants and other necessities for the accommodation, safety and relief of the sick. (L. '93, p. 381, sec. 17; R. S. '08, sec. 5046; C. L., sec. 907.)

There was no repeal of the instant section and § 59 of this chapter, by ch. 163, § 10. The two adjust and stand together. *County of Saguache v. Decker*, 10 Colo. 149, 153, 14 P. 123, cited in notes, 10 Am. St. Rep. 53, 4 L. R. A. 309.

By this section and § 59 of this chapter, the whole of the county may be required to pay the charges incurred in staying the spread of contagious diseases therein, instead of that portion thereof constituting the certain community wherein the disease is first discovered. *Id.*

Sec. 43. Quarantine of baggage, clothing and suspected goods. Whenever, on application of the board of health or any member thereof it shall be made to appear to any justice of the peace that there is just cause to suspect that any baggage, clothing or goods of any kind found within the town, city or county are infected with any disease which may be dangerous to the public health, such justice of the peace shall, by warrant, under his hand, directed to the sheriff or any constable of the county, require him to take with him as many men as the said justice shall deem necessary to secure such baggage, clothing or other goods, and to post said men as a guard over the house or place where such baggage, clothing or other goods shall be lodged, which guard shall take effectual care to prevent any person removing or coming near to such baggage, clothing or other goods, until due inquiry be made into the circumstances thereof, and they shall be discharged therefrom. (L. '93, p. 381, sec. 18; R. S. '08, sec. 5047; C. L., sec. 908.)

Sec. 44. Same—Removal of goods for safe keeping. The said justice may also by the same warrant, if it shall appear to him necessary, require the said officer under the direction of the board of health, to impress or take convenient houses or stores for the safe keeping of such baggage, clothing or goods; and the board of health may cause them to be removed to such houses or stores, or be otherwise detained until they shall in the opinion of the board of health be free from infection. (L. '93, p. 381, sec. 19; R. S. '08, sec. 5048; C. L., sec. 909.)

Sec. 45. Officer may break building to secure goods—Call aid. Such officer in the execution of such warrant, shall if need be in the daytime, break open any house, shop or other place mentioned in said warrant,

where such baggage, clothing or other goods may be, and he may require such aid as may be necessary to effect the execution of the warrant, and all persons shall at the command of any such officer, under a penalty not exceeding ten dollars, assist in the execution of the warrant, if able to do so. (L. '93, p. 382, sec. 20; R. S. '08, sec. 5049; C. L., sec. 910.)

Sec. 46. County, city or town to pay expense—Jurisdiction of police magistrate. The reasonable charges of securing such baggage, clothing or other goods, and of transporting and purifying the same shall be paid by the county, city or town whose board of health is exercising jurisdiction in the premises; in all cities or incorporated towns all actions provided for herein may be instituted before the police magistrate, who shall have jurisdiction thereof, and police officers and marshals in such cities and towns shall have equal authority with sheriffs and constables in executing the provisions of this article. (L. '93, p. 382, sec. 21; R. S. '08, sec. 5050; C. L., sec. 911.)

Sec. 47. Nurses and attendants employed entitled to compensation. Whenever the sheriff or other officer shall take possession of houses, stores, lodgings or other necessities, or shall employ any nurse or attendants, as provided in this article, the several parties interested shall be entitled to a just compensation therefor, to be paid by the county, city, or town in which such person or property shall have been so employed or taken possession of. (L. '93, p. 382, sec. 22; R. S. '08, sec. 5051; C. L., sec. 912.)

Sec. 48. Appoint persons to examine passengers or restrain from coming into state. The board of health of any town, city or county, near to or bordering upon either of the neighboring states or territories, may appoint by writing, under their hands, suitable persons to attend any places by which travelers may pass into this state from infected places in other states; and the persons so appointed may examine such passengers as they may suspect of bringing with them any infection which may be dangerous to public health, and if need be, restrain them from traveling until licensed thereto by the board of health of the town, city or county to which such person may come; and any person coming from such infected place, who shall, without license as aforesaid, travel within the state, unless it be to travel by the most direct way to the state from whence he came, after he shall be cautioned to depart by the persons appointed as aforesaid, shall forfeit a sum not exceeding one hundred dollars. (L. '93, p. 382, sec. 23; R. S. '08, sec. 5052; C. L., sec. 913.)

Sec. 49. Regulations concerning imported articles. The said board shall also make such regulations as they may deem necessary for the public health and safety respecting any articles which are capable of containing or conveying any infection or contagion, or creating any sickness, when such article shall be brought into or conveyed from their town, city or county, or into or from any car or train of cars; and if any person shall violate such regulations he shall forfeit a sum not exceeding one hundred dollars. (L. '93, p. 383, sec. 24; R. S. '08, sec. 5053; C. L., sec. 914.)

See also § 15 of this chapter.

Sec. 50. Quarantine ground. Any county may establish a quarantine ground in a suitable place either within or without its own limits; provided, that if such place be without its limits, the consent of the county within whose limits it may be established shall first be obtained therefor. (L. '93, p. 383, sec. 25; R. S. '08, sec. 5054; C. L., sec. 915.)

Sec. 51. Joint quarantine ground. Any two or more counties may, at their joint expense, establish a quarantine ground for their joint use, either within or without their own limits; provided, that if such place be without their limits they shall first obtain the assent of the county in whose limits the same may be. (L. '93, p. 383, sec. 26; R. S. '08, sec. 5055; C. L., sec. 916.)

Sec. 52. Quarantine regulations. The said quarantine regulations, after notice shall have been given, shall be observed and complied with by all persons; and any person who shall violate any such regulations shall forfeit a sum not less than five dollars and not more than five hundred dollars. (L. '93, p. 383, sec. 27; R. S. '08, sec. 5056; C. L., sec. 917.)

Sec. 53. Expenses of quarantine. All expenses incurred on account of any person or goods, under any quarantine regulations shall be paid by such person or by the owner of such goods respectively. (L. '93, p. 383, sec. 28; R. S. '08, sec. 5057; C. L., sec. 918.)

Sec. 54. Board to direct removal of diseased person from county jail. Whenever any person confined in any common jail shall be attacked with any disease which, in the opinion of the physicians of the board of health, or such other physicians as they may consult, shall be considered dangerous to the safety and health of the other prisoners, or of the inhabitants of the town, city or county in which such jail is situated, the board of health may, by their order in writing, direct the removal of such person to some hospital or other place of safety, there to be provided for and securely kept, so as to prevent his escape until their further orders; and if such prisoner shall recover from the disease, he shall be returned to such jail. (L. '93, p. 384, sec. 29; R. S. '08, sec. 5058; C. L., sec. 919.)

Sec. 55. Order of removal returned to clerk of court. If the person so removed shall have been committed by order of any court, or under any judicial process, the order for his removal, or a copy thereof, attested by the presiding member of said board of health, shall be returned by him, with the doing thereon, into the office of the clerk of the district court of the county; and no prisoner removed as aforesaid shall be considered as thereby having committed an escape. (L. '93, p. 384, sec. 30; R. S. '08, sec. 5059; C. L., sec. 920.)

Sec. 56. Removal of persons from poor house or hospital infected with contagious disease. Whenever any pestilence or contagious disease shall break out in any poor house or hospital in this state, or in the vicinity thereof, and the physicians of such poor house or hospital, or such other physicians as the superintendents may consult, shall certify that such pestilence or disease is likely to endanger the health of the persons supported at such poor house or hospital, the superintendents or person in

charge of such poor house or hospital shall cause the persons there supported, or any of them, to be removed to some other suitable place in the same county, city or town and there to be maintained and provided for at the expense of the county with all necessary medical attendance and care, until they can safely be returned to such poor house or hospital, or otherwise discharged. (L. '93, p. 384, sec. 31; R. S. '08, sec. 5060; C. L., sec. 921.)

Sec. 57. Permit for removal of infected article or person. The board of health may grant permits for the removal of any infected article or sick person, within the limits of their town, city or county, when they shall think it safe and proper to do so. (L. '93, p. 384, sec. 32; R. S. '08, sec. 5061; C. L., sec. 922.)

Sec. 58. Care of persons infected with contagious disease. When any person coming from abroad, or residing within any town, city or county within this state shall be infected or shall lately before have been infected with the smallpox, or other sickness dangerous to the public health, the board of health of the town, city or county where such persons may be shall make effectual provisions in the same manner in which they shall judge best for the safety of the inhabitants by removing such sick or infected person to a separate house, if it can be done without danger to his health and by providing nurses and other assistance necessary, which shall be at the charge of the county, city or town, as the case may be, to which he belongs. (L. '93, p. 385, sec. 33; R. S. '08, sec. 5062; C. L., sec. 923.)

Sec. 59. When person cannot be removed. If any such infected person cannot be removed without danger to his health, the board of health shall make provision for him as in the preceding section, in the house in which he may be, and in such case they may cause the persons in the neighborhood to be removed, and may take such other measures in respect to the same as they may deem necessary for the safety of the inhabitants. (L. '93, p. 385, sec. 34; R. S. '08, sec. 5063; C. L., sec. 924.)

Cited in *County of Saguache v. Decker*, 10 Colo. 149, 153, 14 P. 123.

Sec. 60. Inhabitants may establish hospitals for care of contagious diseases. The inhabitants of any town, city or county may establish in such locality as the board of health may deem best and be constantly provided with one or more hospitals for the reception of persons having the smallpox or other disease which may be dangerous to the public health. And the board of county commissioners of any county in this state having a population of more than ten thousand inhabitants according to the last preceding decennial federal census may establish, erect, acquire, equip and maintain a hospital for the care and treatment of indigent persons residing in such county, and also for the care and treatment, for pay, of other residents of such county; and such board may accept donations of money or other property for the use or benefit of such hospital. Any such board shall have power to acquire by purchase or gift such lands as may be necessary for the site of such hospital. (L. '93, p. 385, sec. 35; R. S. '08, sec. 5064; C. L., sec. 925; L. '25, p. 410, sec. 1.)

A physician in Colorado has no constitutional or statutory right to practice his profession in a county hospital. *Newton v. Board of County Com'rs*, 86 Colo. 446, 282 P. 1068.

The county board has complete supervision and control of county hospitals in Colorado, and a regulation excluding from the right to practice in such a hospital the devotees of some of the numerous systems or methods authorized to practice the profession, e.g., osteopaths, is neither unreasonable nor arbitrary, nor contrary to any provision of the federal or state constitutions. *Id.*

Sec. 61. Regulations governing hospitals for contagious diseases. All such hospitals shall be subject to the rules and regulations of the board of health or a committee appointed by such board for that purpose; but no such hospitals shall be established within one hundred yards of any inhabited house situated in an adjoining county without the consent of such adjoining county. (L. '93, p. 385, sec. 36; R. S. '08, sec. 5065; C. L., sec. 926.)

Sec. 62. Attendants subject to regulations. When any hospital shall be so established the physician attending the same, the persons sick therein, the nurses, attendants and all persons who shall approach or come within the limits of the same, and all such furniture and other articles as shall be brought there, shall be subject to such regulations as shall be made by the board of health, or of the committee appointed for that purpose. (L. '93, p. 385, sec. 37; R. S. '08, sec. 5066; C. L., sec. 927.)

Sec. 63. Hospitals for care of epidemic of contagious diseases. When smallpox or other disease dangerous to the public health shall break out in any town, city or county, the board of health shall immediately provide, furnish and maintain a suitable and comfortable hospital building and place of reception for the sick and infected, and shall provide a good and sufficient number of efficient nurses and attendants therefor (and when especially requested to do so, permit such nurses and such medical care as the family or near friends of the patient may desire) as they shall judge to be adequate and sufficient for the due care and accommodation of the said sick and infected persons, and for the safety of the inhabitants; the said hospitals shall be subject to the regulations of the board of health in the same manner as hereinbefore provided for established hospitals. (L. '93, p. 386, sec. 38; R. S. '08, sec. 5067; C. L., sec. 928.)

Sec. 64. Prevention of spread of contagious disease. When the smallpox or other disease dangerous to the public health is found to exist in any town, city or county, the board of health shall use all possible care to prevent the spreading of the infection and to give public notice of infected places to travelers, by such means as in their judgment shall be most effectual for the common safety. (L. '93, p. 386, sec. 39; R. S. '08, sec. 5068; C. L., sec. 929.)

Sec. 65. Physician or other person violating regulations—Penalty. If any physician or other person in any of the hospitals or places of reception before mentioned or who shall attend, approach, or be concerned with the same, shall violate any of the regulations lawfully made in relation thereto, either with respect to himself, or to his or any other person's property, the person so offending shall, for each offense upon conviction be fined in a sum not less than ten nor more than one hundred dollars. (L. '93, p. 386, sec. 40; R. S. '08, sec. 5069; C. L., sec. 930.)

Sec. 66. Householder to give notice of contagious disease. Whenever any householder shall know that any person within his family is taken sick with smallpox or any other disease dangerous to the public health, he shall immediately give notice thereof to the board of health, or health officer of the town, city or county in which he resides; and if he shall refuse or neglect to give such notice he shall upon conviction be fined in a sum not exceeding one hundred dollars. (L. '93, p. 386, sec. 41; R. S. '08, sec. 5070; C. L., sec. 931.)

Sec. 67. Inoculation. Every board of health of any town, city or county may make suitable provisions, at any meeting for the inoculation of the inhabitants with cow-pox under the direction of the local board of health or health officer. (L. '93, p. 387, sec. 42; R. S. '08, sec. 5071; C. L., sec. 932.)

Sec. 68. Physician to give notice of contagious disease—Penalty for failure to give notice. Whenever any physician shall know that any person whom he is called to visit, or who is brought to him for examination, is infected with smallpox, cholera, diphtheria, scarlet fever, or any other disease dangerous to public health, he shall immediately give notice thereof to the health officer, the president or the clerk of the board of health of the county, town or village in which the sick person may be; and to the householder, hotel keeper, keeper of a boarding house, or tenant within whose house or rooms the sick person may be. The notice to the officer of the board of health shall state the name of the disease, the name, age, and sex of the person sick; also the name of the physician giving the notice; and shall by street and number or otherwise, sufficiently designate the house or room in which said sick person may be; and every physician and person acting as a physician, who shall refuse or neglect, immediately to give such notice, shall for each offense upon conviction be fined in a sum not less than five nor more than one hundred dollars; provided, that this penalty shall not be enforced against a physician if another physician in attendance has given to the health officer, hereinbefore mentioned, an immediate notice of such sick person and the true name of the disease in accordance with the requirements of this section. (L. '93, p. 387, sec. 43; R. S. '08, sec. 5072; C. L., sec. 933.)

Sec. 69. Investigation and disposition of contagious disease by health officer—Notify board of health. Whenever the health officer of any county, city or village in this state shall receive reliable notice, or shall otherwise have good reason to believe that there is within the county, city or village of which he is the health officer, a case of smallpox, diphtheria, scarlet fever or other communicable disease dangerous to the public health, it shall be the duty of the health officer, unless he is or shall have been instructed by the board of health, of which he is an executive officer, to do otherwise, to immediately investigate the subject, and in behalf of the board of health, of which he is an executive officer, to order the prompt and thorough isolation of those sick or infected with such disease, so long as there is danger of their communicating the disease to other persons; to order the prompt isolation or vaccination of persons who have been exposed to smallpox; to see that no person suffers for lack of nurses or

other necessities because of isolation for the public good; to give public notice of infected places by placard on the premises, and otherwise if necessary; to promptly notify teachers or superintendents of schools concerning families in which are contagious diseases; to supervise funerals of persons dead from scarlet fever, diphtheria, smallpox or other communicable disease which endangers the public health, to disinfect rooms, clothing and premises, and all articles likely to be infected, before allowing their use by persons other than those in isolation; to keep the president of his own board of health, and the secretary of the State Board of Health constantly informed respecting every outbreak of a disease dangerous to the public health, and of the facts so far as the same shall come to his knowledge, respecting sources of danger of any such diseased person or infected article being brought into or taken out of the county, city or village of which he is the health officer. (L. '93, p. 387, sec. 44; R. S. '08, sec. 5073; C. L., sec. 934.)

Sec. 70. Compensation of health officer. In the fulfillment of the requirements of this article, the health officer, unless other provisions shall have been made in accordance with law, shall be entitled to receive from the county, city or village of which he is the health officer, compensation at the rate of not less than two (2) dollars per day, while in the discharge of his duties. (L. '93, p. 388, sec. 45; R. S. '08, sec. 5074; C. L., sec. 935.)

Sec. 71. Registry of births and deaths by attendants. It shall be the duty of all physicians, surgeons and midwives to keep a registry of all births and deaths at which they have professionally attended, showing in case of birth, the time and place of birth, name of the father, maiden name of the mother, residence, sex, color of child, whether it be born alive or dead, and shall make report of such birth to the local board of health within one week of the date of birth; provided, that when two or more surgeons, physicians or midwives may have attended professionally at any birth, the surgeon, physician or midwife who is oldest in attendance shall make the report. (L. '05, p. 297, sec. 1; amending L. '93, p. 388, sec. 46; R. S. '08, sec. 5075; C. L., sec. 936.)

See § 115 of this chapter. As to duty of physicians to file birth certificate, see § 116 of this chapter.

Sec. 72. Report of antitoxin products sold. It shall be the duty of all those engaged in selling, handling or manufacture of drugs, sera, antitoxin, vaccines, or other pharmaceutical products to make a report to the local board of health of all antitoxin sold by them, stating to whom such antitoxin was sold and the date on which it was sold; if purchased upon a prescription of a physician, the name of the purchaser as well as the name of the physician ordering the antitoxin. Such reports shall be made within twelve (12) hours of the date of sale. (L. '05, p. 298, sec. 2; amending L. '93, p. 389, sec. 47; R. S. '08, sec. 5076; C. L., sec. 937.)

Sec. 73. Violation of two preceding sections. Any person failing to discharge and perform any of the acts and duties imposed by the two preceding sections shall, for every such failure be deemed guilty of a misdemeanor, and upon conviction thereof be fined in a sum of not less than

five nor more than twenty dollars. (L. '93, p. 389, sec. 48; R. S. '08, sec. 5077; C. L., sec. 938.)

Sec. 74. Monthly reports of local boards of health. All boards of health which exist now, or may be established by the provisions of this article, shall report to the State Board of Health on the fifth (5) day of each month all marriages, births, deaths and other information required by the State Board of Health, occurring in their respective districts. (L. '05, p. 298, sec. 3; amending L. '93, p. 389, sec. 49; R. S. '08, sec. 5078; C. L., sec. 939.)

Sec. 75. Secretary to provide blanks for reports. The secretary of the State Board of Health shall cause to be provided suitable blanks with separate columns for each of the items of information required, and shall send a sufficient number of said blanks to the clerk of each county for distribution. (L. '93, p. 389, sec. 50; R. S. '08, sec. 5079; C. L., sec. 940.)

Sec. 76. Board may assign location for business detrimental to public health. The board of health of any town, city or county, respectively, when they shall judge it necessary, shall from time to time assign certain places for the exercise of any trade or employment dangerous to the public health; and they shall forbid the exercise thereof in places not so assigned; and all such assignments shall be entered in the records of the town, city or county, and they may be revoked when the board of health making such assignment shall think proper. (L. '93, p. 389, sec. 51; R. S. '08, sec. 5080; C. L., sec. 941.)

Sec. 77. Revocation of assignment by district court. When any place or building so assigned shall become dangerous to the neighborhood or to travelers, and the same shall be made to appear on a trial, or on the admission of the person exercising such trade or employment before the district court of the county, upon a complaint made by the board of health, or by any other person, the said court may revoke such assignment, and prohibit the further use of such place or building for the exercise of either of the aforesaid trades or employments, and may cause such nuisance to be removed or abated. (L. '93, p. 390, sec. 52; R. S. '08, sec. 5081; C. L., sec. 942.)

Sec. 78. Damages occasioned by nuisance—Action. Any person injured either in his comfort or in the enjoyment of his estate by any such nuisance may have an action on the case for damages sustained thereby, in which action the defendants may plead the general issue and give any special matter in evidence. (L. '93, p. 390, sec. 53; R. S. '08, sec. 5082; C. L., sec. 943.)

Sec. 79. Board may order removal of cemetery. Whenever the trustees of any incorporated town or village or the board of health of any city shall by resolution adopted by them determine that the dead bodies buried in any public cemetery located in any such city, town or village should be removed therefrom, for the reason that such cemetery shall have become commons, or shall impede the growth of any such city, town or village, or shall endanger the health of the people living in the immediate

vicinity thereof, the county court of the county in which such cemetery is located is hereby authorized to vacate the same, or any part thereof, on petition made to such court by the board of health. (L. '93, p. 390, sec. 54; R. S. '08, sec. 5083; C. L., sec. 944.)

Sec. 80. Notice of health regulations given by publication. Notice shall be given by the board of health of all regulations made by them, by publishing the same in some newspaper of the county, town or village, if there be one published therein, and if not, then by posting them up in five public places in such county, town or village, and such notice of such regulations shall be deemed legal notice to all persons. (L. '93, p. 390, sec. 55; R. S. '08, sec. 5084; C. L., sec. 945.)

Sec. 81. Jurisdiction of courts over nuisances. The county court for any county or any justice of the peace in such county, and police magistrates in cities and towns shall have jurisdiction in all matters concerning nuisances under this article and the punishment therefor. (L. '93, p. 390, sec. 56; R. S. '08, sec. 5085; C. L., sec. 946.)

Sec. 82. Domestic animals affected with contagious or infectious disease. It shall be the duty of any person who discovers, suspects, or has reason to believe that any domestic animal belonging to him or in his charge, or that may come under his observation, belonging to other parties, is affected with any disease, if it be a contagious or infectious disease, to immediately report such fact, belief or suspicion to the local board of health or some member thereof, and if, on examination, it is found that the animal is diseased and unfit for food, such animal may be ordered to be killed and buried by any officer of the board of health, at the expense of the owner. (L. '93, p. 391, sec. 57; R. S. '08, sec. 5086; C. L., sec. 947.)

Sec. 83. Selling, shipping or allowing diseased animals to run at large—Penalty. Any person who shall have in his possession any domestic animal affected with any contagious or infectious disease, knowing such animal to be so affected, or after having received notice that such animal is so affected who shall permit such animal to run at large, or who shall keep such animal where other domestic animals not affected by or previously exposed to such disease may be exposed to its contagion or infection, or who shall sell, ship, drive, trade or give away such diseased animal or animals, which have been exposed to such contagion or infection, or who shall move or drive any domestic animal in violation of any direction, rule or regulation or order establishing or regulating quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than five dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days, or both such fine and imprisonment in the discretion of the court, for each of such diseased or exposed domestic animals, which he shall permit to run at large, or keep, sell, ship, drive, trade or give away in violation of the provisions of this article. (L. '93, p. 391, sec. 58; R. S. '08, sec. 5087; C. L., sec. 948.)

Sec. 84. Penalty for bringing diseased animal into state. Any person who shall knowingly bring into this state any domestic animal which is

affected with any contagious or infectious disease, or any animal which has been exposed to any infectious or contagious disease, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than one hundred dollars nor more than five thousand dollars or be imprisoned in the county jail not to exceed one year or both such fine and imprisonment in the discretion of the court. (L. '93, p. 391, sec. 59; R. S. '08, sec. 5088; C. L., sec. 949.)

Sec. 85. Sale of diseased meat—Penalty. If any person shall knowingly sell any kind of diseased, corrupted or unwholesome provisions, whether for meat or drink, without making the same fully known to the buyer, he shall upon conviction be punished by imprisonment in the county jail not more than six months, or by fine not exceeding two hundred dollars. (L. '93, p. 392, sec. 60; R. S. '08, sec. 5089; C. L., sec. 950.)

This section is apparently superseded by § 49 of ch. 69.—Ed. note.

Sec. 86. Sale of adulterated food or drink—Penalty. If any person shall fraudulently adulterate, for the purpose of sale, any substance intended for food, or any wine, spirits, malt liquor, or other liquor intended for drinking, he shall upon conviction be punished by imprisonment in the county jail not more than one year, or by fine not exceeding three hundred dollars, and the article so adulterated shall be forfeited and destroyed. (L. '93, p. 392, sec. 61; R. S. '08, sec. 5090; C. L., sec. 951.)

This section is apparently superseded by § 2 of ch. 69.—Ed. note.

Sec. 87. Adulteration of drugs and medicines. If any person shall fraudulently adulterate, for the purpose of sale, any drug or medicine in such manner as to render the same injurious to the health, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding four hundred dollars, and such adulterated drugs and medicines shall be forfeited and destroyed. (L. '93, p. 392, sec. 62; R. S. '08, sec. 5091; C. L., sec. 952.)

This section is apparently superseded by § 2 et seq. of ch. 69.—Ed. note.

Sec. 88. Mix, color, stain or powder articles of food with injurious ingredient. No person shall mix, color, stain, or powder, or order or permit any other person to mix, color, stain or powder any article of food with any ingredient or material so as to render the article injurious to health, with the intent that the same may be sold; and no person shall knowingly sell or offer for sale any article so mixed, colored, stained or powdered. (L. '93, p. 392, sec. 63; R. S. '08, sec. 5092; C. L., sec. 953.)

This section is apparently superseded by § 2 et seq. of ch. 69.—Ed. note.

Sec. 89. Mix, color, stain or powder any drug or medicine. No person shall, except for the purpose of compounding in the necessary preparation of medicine, mix, color, stain or powder, order or permit any other person to mix, color, stain or powder any drug or medicine with any ingredient or materials so as to affect injuriously the quality or potency of such drug or medicine with intent to sell the same, or shall sell or offer for sale any such drug or medicine so mixed, colored, stained or powdered. (L. '93, p. 392, sec. 64; R. S. '08, sec. 5093; C. L., sec. 954.)

This section is apparently superseded by § 2 et seq. of ch. 69.—Ed. note.

Sec. 90. Mix, color, stain or powder any food, drink or medicine without labeling—Penalty. No person shall mix, color, stain or powder any article of food, drink, or medicine, or any article which enters into the composition of food, drink or medicine with any other ingredient or material, whether too injurious to health or not, for the purpose of gain or profit, or sell or offer the same for sale or order or permit any other person to sell or offer for sale any article so mixed, colored, stained, or powdered unless the same be so manufactured, used or sold, or offered for sale under its true and appropriate name, and notice that the same is mixed or impure is marked, printed or stamped upon each package, roll, parcel or vessel containing the same, so as to be and remain at all times readily visible, or unless the person purchasing the same is fully informed by the seller of the true name and ingredients (if other than such as are known by the common name thereof) of such article of food, drink, or medicine at the time of making sale thereof or offering to sell the same. (L. '93, p. 393, sec. 65; R. S. '08, sec. 5094; C. L., sec. 955.)

See also § 15 of ch. 69. As to misbranding of articles, see § 8 of ch. 69.

Sec. 91. Adulterated foods must be marked. No person shall mix any glucose or grape sugar with syrup, honey or sugar intended for human food, or any oleomargarine, suine, beef fat, lard or any other foreign substance with any butter or cheese intended for human food, or shall mix or mingle any glucose or grape sugar or oleomargarine with any article of food without distinctly marking, stamping or labeling the article or the package containing the same with the true and appropriate name of such article and the percentage in which glucose or grape sugar, oleomargarine or suine enter into its composition; nor shall any person sell or offer for sale, or order or permit to be sold or offered for sale, any such food into the composition of which glucose or grape sugar or oleomargarine or suine has entered, without at the same time informing the buyer of the fact, and the proportions in which such glucose or grape sugar or oleomargarine or suine has entered into its composition. (L. '93, p. 393, sec. 66; R. S. '08, sec. 5095; C. L., sec. 956.)

See also § 15 and § 16 of ch. 69.

Sec. 92. Violation of sections—Penalty. Any person convicted of violating any provision of any of the foregoing sections of this article shall be fined not more than fifty dollars or imprisoned in the county jail not exceeding three months. (L. '93, p. 393, sec. 67; R. S. '08, sec. 5096; C. L., sec. 957.)

Sec. 93. District attorneys to prosecute. It is hereby made the duty of the district attorneys of this state to appear for the people and attend to the prosecution of all complaints under this article in all the courts in their respective counties. (L. '93, p. 394, sec. 68; R. S. '08, sec. 5097; C. L., sec. 958.)

Sec. 94. Unlawful to sell impure or adulterated milk. It shall be unlawful for any person, either by himself or agent, to sell or expose for sale within the State of Colorado any unwholesome, watered or adulterated or impure milk, or swill milk or colostrum, or milk from cows kept upon garbage, swill or any substance in a state of fermentation or putrefaction,

or other deleterious substances, or from cows kept in connection with any family in which there are infectious diseases. The addition of water or ice to milk is hereby declared an adulteration. (L. '93, p. 394, sec. 69; R. S. '08, sec. 5098; C. L., sec. 959.)

This section is apparently superseded by § 4 et seq. of ch. 49.—Ed. note.

An action for milk delivered under a contract, where the defense was that the milk was watered, does not involve a constitutional question so as to give the supreme court jurisdiction to review a judgment therein, on the ground that but for this section plaintiff would have had a right to recover even though the milk delivered was watered, and that said act is therefore in violation of the constitution as impairing the obligations of contracts. Neither does it involve a debatable constitutional question on the ground that said act embraces more than one subject. *Hecht v. Wright*, 31 Colo. 117, 72 P. 48.

Sec. 95. Violation of preceding section—Penalty. Any person who shall violate any of the provisions of the preceding section shall, upon conviction, be punished by a fine not to exceed one hundred dollars, or by imprisonment not to exceed three months; or by both such fine and imprisonment, in the discretion of the court. (L. '93, p. 394, sec. 70; R. S. '08, sec. 5099; C. L., sec. 960.)

Sec. 96. Milk inspector—Compensation—Duties. Authority is hereby given before the board of health of any county, city or town to appoint an inspector of milk in any such city or village, and to fix their compensation, and when appointed, said inspectors shall perform all the duties required of inspectors as provided herein, and such other powers and duties as may be conferred or imposed by the ordinances of said cities or villages. (L. '93, p. 394, sec. 71; R. S. '08, sec. 5100; C. L., sec. 961.)

As to dairy commissioner and inspector, see ch. 49, § 1 et seq.

Sec. 97. Selling skimmed milk—Penalty. Any dealer in milk who shall by himself, or by his servant, or agent, sell, exchange or deliver, or have in his custody or possession with intent to sell or exchange the same, or exposes or offers for sale as pure milk any skimmed milk, from which the cream or part thereof has been removed, shall be guilty of a misdemeanor and shall for such offense be punished by the penalty provided in the preceding section. (L. '93, p. 394, sec. 72; R. S. '08, sec. 5101; C. L., sec. 962.)

As to standards of milk, see ch. 49, § 8 et seq.

Sec. 98. Sale of poison without marking—Penalty. Every apothecary, druggist or other person who shall sell and deliver at retail any arsenic, corrosive sublimate, prussic acid or any other substance or liquid usually denominated poisonous without having the word "poison" and the true name thereof and the name of some simple antidote, if any is known, written or printed upon the label attached to the vial, box or parcel containing the same, shall be punished by a fine, not exceeding one hundred dollars. (L. '93, p. 395, sec. 74; R. S. '08, sec. 5103; C. L., sec. 964.)

Sec. 99. Unlawful to sell or advertise substance to procure abortion. No person shall in any manner except as hereinafter provided, advertise, publish, sell, or publicly expose for sale any pills, powders, drugs or combination of drugs, designed expressly for the use of females for the purpose of procuring an abortion. (L. '93, p. 396, sec. 75; R. S. '08, sec. 5104; C. L., sec. 965.)

See also ch. 48, § 220.

Sec. 100. Drug or medicine producing abortion sold only on prescription—Registered. Any drug or medicine known to be designed and expressly prepared for producing abortion shall be sold only upon the written prescription of an established practicing physician of the city, village or county in which the sale is made, and the druggist or dealer selling the same, shall, in a book provided for that purpose register the name of the purchaser, the date of the sale, the kind and quantity of the medicine sold and the name and residence of the physician prescribing the same. (L. '93, p. 396, sec. 76; R. S. '08, sec. 5105; C. L., sec. 966.)

Sec. 101. Penalty for violation of three preceding sections. Any person violating any of the provisions of the three preceding sections shall, upon conviction thereof, be punished by a fine of not less than twenty-five (25) dollars, nor more than one hundred dollars at the discretion of the court. (L. '93, p. 396, sec. 77; R. S. '08, sec. 5106; C. L., sec. 967.)

Sec. 102. Advertisement of substances to cure private diseases, prevent conception or procure abortion unlawful—Penalty. The publication, circulation or sale within this state of any circular, newspaper, pamphlet, or other book, containing receipts or prescriptions, immoral in tendency, for the cure of chronic female complaints or private diseases, or recipes or prescriptions for drops, pills, tinctures, or other compounds designed to prevent inceptions [conceptions], or tending to produce miscarriage or abortion, is hereby prohibited; and the publisher, circulator and seller thereof shall each be deemed guilty of a misdemeanor and shall upon conviction be liable to a fine of not less than ten or more than one hundred dollars for each offense. (L. '93, p. 396, sec. 78; R. S. '08, sec. 5107; C. L., sec. 968.)

See also ch. 48, § 220.

As to such advertising being grounds for the revocation of a physician's license, see ch. 109, § 13.

The word "conceptions," appearing in brackets, was supplied by the editor. It is believed that this word should be substituted for the word "inceptions." —Ed. note.

Sec. 103. Puerperal fever—Suspension of physician. Whenever it shall appear that in the practice of a physician or a midwife, there occur an unusual number of cases of puerperal fever, the board of health may require such physician or midwife to suspend his or her vocation for such a time as may seem necessary. (L. '93, p. 396, sec. 79; R. S. '08, sec. 5108; C. L., sec. 969.)

COLORADO
STATE DIVISION OF PUBLIC HEALTH



**COMMUNICABLE DISEASE
CONTROL**

LAWS, RULES AND REGULATIONS
(Revised 1942)

Issued by the
COLORADO STATE BOARD OF HEALTH
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COMMUNICABLE DISEASE CONTROL

Laws, Rules and Regulations Relating to the Control of Communicable and Other Diseases Dangerous to the Public Health.

LAWS

(Colorado State Laws Relating to the Control of Communicable and Other Diseases Dangerous to the Public Health. From Chapter 78, Health—Colorado Statutes Annotated, 1935)

Section

13. Local Health Officers—Appointment.
14. State board to act when local board refuses—Prosecution of local board for refusal.
27. Municipal board of health.
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Sec. 13. Local health officers—Appointment. The State Board of Health, or the secretary of the board, may call upon the board of county commissioners of any county or on the mayor, or other chief executive of any city, town or village of Colorado to appoint some person to serve as local health officers for their respective jurisdiction, or to name the person already legally appointed; the said officer to act in cooperation with and under advice of the State Board of Health. (L. '93, p. 401, sec. 14; R. S. '08, sec. 5021; C. L., sec. 882.)

Sec. 14. State board to act when local board refuses—Prosecution of local board for refusal. In the event of the local board of health of any community being unable or unwilling to efficiently or promptly abate a nuisance, or to prevent the introduction or spread of any contagious or infectious disease, the State Board of Health shall have full power to take such measures as will insure the abatement of the nuisance, or prevent the introduction or spread of disease. The State Board of Health may, for this purpose, assume all the powers conferred by law on the local board of health; or the State Board of Health may, at its discretion, bring

suit against or prosecute any local board of health for a willful failure to enforce the laws of this state in regard to health, and the expense of carrying out such orders shall be borne by the local board of health so failing to enforce the law. (L. '93, p. 401, sec. 15; R. S. '08, sec. 5022; C. L., sec. 883.)

Sec. 27. Municipal board of health. The mayor and council, or trustees of each incorporated town or city, whether incorporated under general statutes or special charter in this state, respecting which no other provision is or shall be made by law, shall have and exercise all the powers and perform all the duties of a board of health as provided in this article, within the limits of the cities or towns respectively of which they are such officers, and in all parts and portions of each and every county not represented by town or city organization, the board of health shall consist of the county commissioners and the clerk of the county. (L. '93, p. 376, sec. 2; R. S. '08, sec. 5031; C. L., sec. 892.)

Sec. 28. Board to appoint health officers—Term—Salary. Every board of health shall appoint one or more physicians to the board, who shall be the health officer or officers of the county, city or town for which he is appointed, and shall hold his office during its pleasure, and it shall establish his salary or other compensation, and it shall regulate all fees and charges of every person employed by it in the execution of the health laws and its own regulations. Provided, that in counties, towns, or villages where it is not practicable to secure the services of a well educated and suitable physician, the board may appoint some other person as such health officer. (L. '93, p. 377, sec. 3; R. S. '08, sec. 5032; C. L., sec. 893.)

Cross references.—See § 70 of this chapter. As to power of state board of health to require appointment of local officers, see § 13 of this chapter.

Absence of appointed physician, who employed another physician to attend to county patients, is no defense in action to recover on contract.—In an action by a physician upon a contract made with a county whereby he for a consideration agreed to furnish medicines and surgical appliances and attend, take care of and give all proper medical attention to all poor persons who might be a charge upon the county, the fact that he was absent from the county part of the time on account of sickness of himself and wife was no defense to the action, where he employed another competent physician to attend to the county patients during his absence. The employment was not one which called for personal services wherein he could not substitute another for himself. All that it required was proper medical attention, medicines, etc. *Board of County Commissioners v. Bedell*, 13 Colo. App. 261, 57 P. 187, cited in note, 31 A. L. R. 1091.

Since it would be unreasonable to hold he could not substitute another physician while absent.—Where a physician contracted with a county for a consideration to furnish all proper medicines and medical attention to all poor persons who might be a charge upon the county, it would be unreasonable to hold that he could not substitute another reputable physician in his stead during sickness or temporary absence, even if the contract was one that called for personal service. *Board of County Com'rs v. Bedell*, 13 Colo. App. 261, 57 P. 187, cited in note, 31 A. L. R. 1091.

Especially where the county commissioners use services of the substitute.—Where a county physician during his temporary absence employed another physician in his stead and a member of the board of county commissioners on several occasions, during the time, called upon the substituted physician to attend the county poor, which he did, it was a recognition by the county of the employment of the substitute. *Board of County Com'rs v. Bedell*, 13 Colo. App. 261, 57 P. 187, cited in note, 31 A. L. R. 1091.

The fact that the county employed another physician is likewise no defense.—In an action by a county physician against a county upon a contract of employment for a certain period, evidence that during part of the time the county employed another physician was properly excluded, where the only defense set up in the answer was that plaintiff had failed to comply with the terms of his contract. If plaintiff had fulfilled the obligations of his contract the fact that the county employed another physician was no defense to his action. *Board of County Com'rs v. Bedell*, 13 Colo. App. 261, 57 P. 187, cited in note, 31 A. L. R. 1091.

Records inadmissible as evidence.—In an action by a county physician for compensation for his services, the record of the county poor kept in the clerk's office and made upon after the expiration of the quarter for services during which the action was brought was properly excluded. *Board of County Com'rs v. Bedell*, 13 Colo. App. 261, 57 P. 187, cited in note, 31 A. L. R. 1091.

Sec. 29. Health regulations—Violations. The board of health shall make such regulations respecting nuisances, sources of filth and causes of sickness within its respective limits, and on board of any car, or train of cars, as it shall judge necessary for the public health and safety; and if any person shall violate any such regulations he shall upon conviction be fined in a sum not exceeding one hundred dollars. (L. '93, p. 377, sec. 4; R. S. '08, sec. 5033; C. L., sec. 894.)

Sec. 64. Prevention of spread of contagious disease. When the small-pox or other disease dangerous to the public health is found to exist in any town, city or county, the board of health shall use all possible care to prevent the spreading of the infection and to give public notice of infected places to travelers, by such means as in their judgment shall be most effectual for the common safety. (L. '93, p. 386, sec. 39; R. S. '08, sec. 5068; C. L., sec. 929.)

Sec. 66. Householder to give notice of contagious disease. Whenever any householder shall know that any person within his family is taken sick with smallpox or any other disease dangerous to the public health, he shall immediately give notice thereof to the board of health, or health officer of the town, city or county in which he resides; and if he shall refuse or neglect to give such notice he shall upon conviction be fined in a sum not exceeding one hundred dollars. (L. '93, p. 386, sec. 41; R. S. '08, sec. 5070; C. L., sec. 931.)

Sec. 67. Inoculation. Every board of health of any town, city or county may make suitable provisions, at any meeting, for the inoculation of the inhabitants with cow-pox under the direction of the local board of health or health officer. (L. '93, p. 387, sec. 42; R. S. '08, sec. 5071; C. L., sec. 932.)

Sec. 68. Physician to give notice of contagious disease—Penalty for failure to give notice. Whenever any physician shall know that any person whom he is called to visit, or who is brought to him for examination, is infected with smallpox, cholera, diphtheria, scarlet fever, or any other disease dangerous to public health, he shall immediately give notice thereof to the health officer, the president or the clerk of the board of health of the county, town or village in which the sick person may be; and to the householder, hotel keeper, keeper of a boarding house, or tenant within whose house or rooms the sick person may be. The notice to the officer of the board of health shall state the name of the disease, the name, age, and sex of the person sick; also the name of the physician giving the notice; and shall by street and number, or otherwise sufficiently designate the house or room in which said sick person may be; and every physician and person acting as a physician, who shall refuse or neglect, immediately to give such notice, shall for each offense upon conviction be fined in a sum not less than five nor more than one hundred dollars; provided, that this penalty shall not be enforced against a physician if another physician

in attendance has given to the health officer, hereinbefore mentioned, an immediate notice of such sick person and the true name of the disease in accordance with the requirements of this section. (L. '93, p. 387, sec. 43; R. S. '08, sec. 5072; C. L., sec. 933.)

Sec. 69. Investigation and disposition of contagious disease by health officer—Notify board of health. Whenever the health officer of any county, city or village in this state shall receive reliable notice, or shall otherwise have good reason to believe that there is within the county, city or village of which he is the health officer, a case of smallpox, diphtheria, scarlet fever or other communicable disease dangerous to the public health, it shall be the duty of the health officer, unless he is or shall have been instructed by the board of health, of which he is an executive officer, to do otherwise, to immediately investigate the subject, and in behalf of the board of health, of which he is an executive officer, to order the prompt and thorough isolation of those sick or infected with such disease, so long as there is danger of their communicating the disease to other persons; to order the prompt isolation or vaccination of persons who have been exposed to small pox; to see that no person suffers for lack of nurses or other necessities because of isolation for the public good; to give public notice of infected places by placard on the premises, and otherwise if necessary; to promptly notify teachers or superintendents of schools concerning families in which are contagious diseases; to supervise funerals of persons dead from scarlet fever, diphtheria, smallpox or other communicable disease which endangers the public health; to disinfect rooms, clothing and premises, and all articles likely to be infected, before allowing their use by persons other than those in isolation; to keep the president of his own board of health, and the secretary of the State Board of Health constantly informed respecting every outbreak of a disease dangerous to the public health, and of the facts so far as the same shall come to his knowledge, respecting sources of danger of any such diseased person or infected article being brought into or taken out of the county, city or village of which he is the health officer. (L. '93, p. 387, sec. 44; R. S. '08, sec. 5073; C. L., sec. 934.)

Sec. 70. Compensation of health officer. In the fulfillment of the requirements of this article, the health officer, unless other provisions shall have been made in accordance with law, shall be entitled to receive from the county, city or village of which he is the health officer, compensation at the rate of not less than two (2) dollars per day, while in the discharge of his duties. (L. '93, p. 388, sec. 45; R. S. '08, sec. 5074; C. L., sec. 935.)

Sec. 178. Tubercular nuisance—Complaint—Abatement—Failure—Penalty. Any person having tuberculosis who shall dispose of his sputum, saliva, or other bodily secretion or excretion so as to cause offense or danger to any person or persons occupying the same room or apartment, house, part of house or premises or adjoining premises, shall on complaint of any person or persons subjected to such offense or danger, be deemed guilty of committing a nuisance, and any person subjected to such a nuisance may make complaint in person or writing to the health officer

of any county, town, village or city where the nuisance complained of is committed. The local health officer receiving such complaint shall investigate, and, if it appear that the nuisance complained of is such as to cause offense or danger to any person occupying the same room, apartment, house, or part of a house or premises, or adjoining premises, he shall serve notice upon the person so complained of, reciting the alleged cause of offense or danger and requiring him to dispose of his sputum, saliva, or other bodily secretion or excretion in such a manner as to remove all reasonable cause of offense or danger. Any person failing or refusing to comply with orders or regulations of local health officer of any county, town, village or city requiring him to cease to commit such nuisance shall be deemed guilty of a misdemeanor and, on conviction thereof shall be punished as hereinafter provided. (L. '13, p. 460, sec. 8; C. L., sec. 1091.)

Sec. 182. Report of recovery of patient. Upon the recovery of any person having tuberculosis, the attending physician shall make report of this fact to the local health officer, who shall record the same in the records of his office and shall relieve said person from further liability or duty imposed by this subdivision. (L. '13, p. 461, sec. 12; C. L., sec. 1095.)

REGULATIONS

Regulation 1

NOTIFIABLE DISEASES

The following named diseases and poisonings are declared reportable and shall be reported in accordance with the provisions of these regulations.

Diseases listed in Class I should be reported immediately (within 24 hours) by telephone, in person, or by writing to the local health officer of the municipality or county in which such diseases exist, giving the name of the disease, the full name, age, sex, race and address of the person apparently affected. These diseases should also be reported to the State Board of Health at the end of each week on the weekly report card. In addition to the above, the reports of occupational diseases should give the place of employment or the place where the condition was contracted, if different from the regular place of employment.

Class I

(Reportable within 24 hours)

Botulism	Leprosy	Septic Sore Throat
Ancylostomiasis	*Meningococcus Meningitis	*Scarlet Fever
*Cholera	*Poliomyelitis	*Smallpox
*Diphtheria	*Plague	Typhoid and Paratyphoid
Encephalitis	Rabies	
Gonorrheal Ophthalmia		

*Placard required.

Occupational Diseases

Anthrax	Lead Poisoning
Analine Poisoning	Manganese Poisoning
Benzine Poisoning (Petroleum ether)	Mercury Poisoning
Benzol (Benzene) Poisoning	Metal Fume Fever (Brass)
Cadmium Poisoning	Methyl (Wood) Alcohol Poisoning
Carbon Disulphide (Bisulphide)	Naphtha Poisoning
Poisoning	‡Silicosis
Carbon Monoxide Asphyxiation	‡Silico-Tuberculosis
Carbon Tetrachloride Poisoning	Tetra Ethyl Lead Poisoning
Chromic Acid Poisoning	Toluene Poisoning
Gasoline Poisoning	Turpentine Poisoning

Class II

(Reportable within one week)

Actinomycosis	Pneumonia
Ancylostomiasis	Psittacosis
Anthrax	Puerperal Infection
Chickenpox	Rocky Mountain Spotted Fever
Colorado Tick Fever	Scabies
Dengue	Syphilis
Dysentery, Amebic	Tetanus
Dysentery, Bacillary	Trachoma
Erysipelas	Trichinosis
Favus	Tuberculosis (Pulmonary)
Food Infection and Poisoning	Tuberculosis (Other than pulmo- nary)
Glanders	Tularemia
Gonorrhea	Typhoid Carriers
Impetigo Contagiosa	Typhus Fever
Influenza	Undulant Fever
Malaria	Whooping Cough
Measles	Yellow Fever
Mumps	

At the discretion of the State Division of Public Health, weekly notification of the above diseases may not be required from physicians in those municipalities or counties where local, city, or county departments of health adopt plans for reporting such diseases from the locality as a whole.

Regulation 2**REPORTING WHEN NO PHYSICIAN IS IN ATTENDANCE. DISEASES AMONG ANIMALS**

Superintendents or persons in charge of hospitals, sanatoria, dispensaries or other institutions, nurses, midwives, teachers, dairy managers, heads of private households and proprietors and keepers of hotels, board-

‡Reportable within one week.

ing houses or lodging houses, or other persons either treating or having knowledge of a reportable disease shall be required to report such disease coming under their observation when no physician is in attendance.

All cases of Anthrax, Foot and Mouth Disease and Rabies (Hydrophobia) among animals must be promptly reported by anyone knowing the facts to the local health officer, who will, without delay, report to the State Board of Health.

Regulation 3

FOOD HANDLING FROM INFECTED PREMISES

No food or food products (which term shall include milk or milk products) likely to be consumed raw shall be offered for sale, given or delivered to any individual, creamery, butter factory, store, shop, market or other establishment from a house where a case of amebic or bacillary dysentery, diphtheria, meningococcus meningitis, poliomyelitis, scarlet fever, septic sore throat, smallpox, typhoid or paratyphoid exists nor shall any person residing in such house handle in any capacity such food or food products which are offered for sale, given or delivered.

On farm premises where any of the above mentioned diseases exist the sale of such food or food products is prohibited except under the following provisions:

1. That such food or food products offered for sale shall not be brought into the house where such case exists.

2. That all persons coming in contact with such foods or food products shall eat, sleep and work wholly outside of such house and shall not come in contact in any manner whatsoever with such house or its inmates or any of its contents.

3. That all inmates of the house where such disease exists shall be properly isolated from all parts of said farm or dairy where such food or food products are handled.

4. That the owner or proprietor of the premises on which a case of any of the above mentioned diseases is found and on which such food or food products are handled as above mentioned shall secure a permit from the local health officer to continue the handling of such food or food products in accordance with the regulations and not otherwise; and the local health officer shall have authority to inspect such premises and insure the enforcement of these regulations.

DEFINITIONS OF TERMS

1. **Carrier.** A person who, without symptoms of a communicable disease, harbors and disseminates the specific microorganisms. As distinct from a carrier, the term "infected person" is used to mean a person in whose tissues the etiological agent of a communicable disease is lodged and produces symptoms.

2. **Cleaning.** This term signifies the removal by scrubbing and washing, as with hot water, soap and washing soda, of organic matter on which

and in which bacteria may find favorable conditions for prolonging life and virulence; also the removal by the same means of bacteria adherent to surfaces.

3. **Contact.** A "contact" is any person or animal known to have been sufficiently near to an infected person or animal to have been presumably exposed to transfer of infectious material directly, or by articles freshly soiled with such material.

4. **Delousing.** By delousing is meant the process by which a person and his personal apparel are treated so that neither the adults nor the eggs of *Pediculus corporis* or *Pediculus capitis* survive.

5. **Disinfection.** By this is meant the destroying of the vitality of pathogenic microorganisms by chemical or physical means.

When the word "concurrent" is used as qualifying disinfection, it indicates the application of disinfection immediately after the discharge of infectious material from the body of an infected person, or after the soiling of articles with such infectious discharges, all personal contacts with such discharges or articles being prevented prior to their disinfection.

When the word "terminal" is used as qualifying disinfection, it indicates the process of rendering the personal clothing and immediate physical environment of the patient free from the possibility of conveying the infection to others, at the time when the patient is no longer a source of infection.

6. **Disinfesting.** By disinfesting is meant any process, such as the use of dry or moist heat, gaseous agents, poisoned food, trapping, etc., by which insects and animals known to be capable of carrying or transmitting infection may be destroyed.

7. **Education in Personal Cleanliness.** This phrase is intended to include all the various means available to impress upon all members of the community, young and old, and especially when communicable disease is prevalent or during epidemics, by spoken and printed word, and by illustration and suggestion, the necessity of:

(1) Keeping the body clean by sufficiently frequent soap and water baths.

(2) Washing hands in soap and water after voiding bowels or bladder and always before eating.

(3) Keeping hands and unclean articles, or articles which have been used for toilet purposes by others, away from mouth, nose, eyes, ears, and genitalia.

(4) Avoiding the use of common or unclean eating, drinking, or toilet articles of any kind, such as towels, handkerchiefs, hair brushes, drinking cups, pipes, etc.

(5) Avoiding close exposure of persons to spray from the nose and mouth, as in coughing, sneezing, laughing, or talking.

8. **Fumigation.** By fumigation is meant a process by which the destruction of insects, as mosquitoes and body lice, and animals, as rats, is accomplished by the employment of gaseous agents.

9. **Isolation.*** By isolation is meant the separating of persons suffering from a communicable disease, or carriers of the infecting organism, from other persons, in such places and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to susceptible persons.

10. **Quarantine.*** By quarantine is meant the limitation of freedom of movement of persons or animals who have been exposed to communicable disease for a period of time equal to the longest usual incubation period of the disease to which they have been exposed.

11. **Renovation.** By renovation is meant, in addition to cleansing, such treatment of the walls, floors and ceilings of rooms or houses as may be necessary to place the premises in a satisfactory sanitary condition.

12. **Report of a Disease.** By report of a disease is meant the notification to the health authorities, and, in the case of communicable disease in animals, also to the respective Departments of Agriculture which have immediate jurisdiction, that a case of communicable disease exists in a specified person or animal at a given address.

13. **Susceptibles.** A "susceptible" is a person or animal who is not known to have become immune to the particular communicable disease in question by natural or artificial process.

14. **Virus, Filterable.** The term "filterable virus" as defining the etiological agent of certain diseases is used in the sense of a causal agent differentiated from other kinds of infectious agents such as bacteria, protozoa, etc. Many of these filterable viruses can be grown *in vitro* in the presence of living susceptible cells, and such cultures will produce regularly typical diseases in animals and in man. The term "filterable virus" has a significance comparable to that of bacterium, spirochete, or protozoon. The term "filterable virus" is as definite a description of an etiological agent as is the statement that the typhoid bacillus causes typhoid fever. The idea conveyed by the statement that a filterable virus is the etiological agent is that the cause of this disease is known, even though present knowledge does not permit further precision in distinguishing among filterable viruses except by reference to the name of the disease produced by each.

COMMUNICABLE AND OTHER DISEASES DANGEROUS TO THE PUBLIC HEALTH

Regulations:

Actinomycosis

PLACARD. None.

ISOLATION. None provided patient is under adequate medical care.

CONCURRENT DISINFECTION of discharges from lesions and articles soiled therewith.

TERMINAL DISINFECTION. By thorough cleaning.

*In view of the various ambiguous and inaccurate uses to which the words isolation and quarantine are not infrequently put, it has seemed best to adopt arbitrarily the word isolation as describing the limitation put upon the movements of the known sick or "carrier" individual or animal, and the word quarantine as describing the limitations put upon exposed or "contact" individuals.

SALE OF MILK from infected animals prohibited.

ANIMAL SOURCES OF INFECTION. Destruction of known animal sources of infection.

Information:

RECOGNITION OF THE DISEASE. A local or general, acute or chronic suppurative process combined with growth of connective tissue, and characterized by the presence in the lesions of vegetations or colonies of the specific microorganism, identifiable by microscopic examination of discharges from the lesions. It may be confused with pulmonary or generalized tuberculosis.

ETIOLOGICAL AGENT. *Actinomyces Bovis*.

SOURCE OF INFECTION. Unknown. Probably nasal and bowel discharges and infected material from lesions in animals and man. Uncooked meat from infected animals.

MODE OF TRANSMISSION. Contact with discharges or articles freshly soiled with discharges from animal and human cases, especially grains, grasses and other cattle fodder.

INCUBATION PERIOD. Undetermined and variable.

PERIOD OF COMMUNICABILITY. As long as open lesions remain, as proved by the presence of the infectious agent on microscopic or cultural tests.

IMMUNIZATION. None.

Ancylostomiasis (Hookworm Disease)

Regulations:

PLACARD. None.

ISOLATION. None.

QUARANTINE. None.

CONCURRENT DISINFECTION. Sanitary disposal of bowel discharges.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. The symptomatology varies greatly in accordance with the degree of infection and other factors. The presence of only a few worms may give rise to no symptoms. Moderate to severe infections may be characterized by abdominal pain, indigestion, flatulence, abnormal or depraved appetite, and distended abdomen. Some cases show severe diarrhea; others may have alternate constipation and diarrhea. The skin is sallow, dry, and harsh. The patient is depressed and listless, and the features expressionless. Children may show marked physical and mental retardation. Severe secondary anemia may be present and there is usually an eosinophilia. In severe cases there is frequently edema in various parts of the body, particu-

larly in the dependent portions. Dermatitis or so-called "ground-itch" may be present on the feet or other parts of the body coming in contact with contaminated soil. Systemic symptoms are usually more pronounced in patients on an inadequate or unbalanced diet and those suffering concomitantly from malaria and other debilitating conditions. Diagnosis is established by finding hookworm ova in the stools.

ETIOLOGICAL AGENT. *Necator americanus*, rarely *Ancylostoma duodenale*.

SOURCES OF INFESTATION. Feces of infected persons. Infestation generally takes place through the skin, occasionally by the mouth.

MODE OF TRANSMISSION. Larval forms pierce the skin, usually of the foot. By drinking water containing larvae; by eating soiled food; by hand-to-mouth transmission of eggs or larvae from objects soiled with infested discharges. The chief reservoir of infectious material is contaminated soil.

INCUBATION PERIOD. Two or three weeks in massive infestations (commonly 7 to 10 weeks).

PERIOD OF COMMUNICABILITY. As long as parasite or its ova are found in bowel discharges. Contaminated soil may remain infective 5 months in the absence of freezing. As long as mature female worms are in the intestine. Eggs, if deposited in the feces in warm, moist soil, become sources of infestation, especially in sandy soil.

IMMUNIZATION. None.

Recommendations:

EDUCATION of dangers of soil pollution and methods of prevention.

PREVENTION OF SOIL POLLUTION by installation of sanitary disposal system for human discharges, especially sanitary privies in rural areas.

PERSONAL PROPHYLAXIS by cleanliness and wearing of shoes.

Anthrax

Regulations:

PLACARD. None.

ISOLATION. Until lesions have healed.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges from lesions and articles soiled therewith.

(Note: Spores can be killed only by special measures such as steam under pressure or burning.)

TERMINAL DISINFECTION. Thorough cleaning.

SALE OF MILK, MEAT, HIDES AND HAIR from infected animals prohibited.

Information:

RECOGNITION OF THE DISEASE. Two forms occur—external due to direct inoculation through a cut or abrasion, and internal caused by ingestion or inhalation of the bacilli or their spores. Following the initial papule and vesicle at the external site of inoculation, an eschar develops and then hard edematous swelling of deeper and adjacent tissues. Freedom from pain is usual. Constitutional symptoms do not parallel the gravity of the lesions. Confirmation by microscopic examination of the lesions and discharges for **B. anthracis**. Internal anthrax resembles intestinal poisoning, toxic pneumonia, or meningitis; the recovery of the bacilli from the blood or spinal fluid confirms the diagnosis.

ETIOLOGICAL AGENT. Anthrax Bacillus.

SOURCE OF INFECTION. Hair, hides, flesh and feces of infected animals. Discharges from open lesions of human and animal cases.

MODE OF TRANSMISSION. Inoculation as by accidental wound or scratch, inhalation of spores of infectious agent, ingestion of insufficiently cooked meat, and mechanically by flies and mosquitoes.

INCUBATION PERIOD. Within 7 days.

PERIOD OF COMMUNICABILITY. During febrile stage of the disease and until lesions have ceased discharging. Infected hair and hides of infected animals may communicate the disease many months after slaughter of the animal and after curing of hide, fur, or hair, unless disinfected.

Recommendations:

ANIMALS ILL WITH DISEASE PRESUMABLY ANTHRAX should be isolated immediately in care of veterinarian. Animals with proven disease should be killed and destroyed by incineration.

IMMUNIZATION OF EXPOSED ANIMALS by Federal or State Department of Agriculture.

CONTROL AND DISINFECTION OF EFFLUENTS AND TRADE WASTES AND OF AREAS OF LAND polluted by such effluents and wastes from factories or premises where spore infected hides or hair products are known to have been manufactured.

Every person handling raw hides, hair, or bristles who has an abrasion of the skin should immediately report to a physician.

SPECIAL INSTRUCTIONS in personal cleanliness should be given all employes handling raw hides.

PROPER VENTILATION of tanneries and woolen mills to remove dust.

DISINFECTION of hair, wool or bristles of animals originating in known infected centers before they are used or sorted.

Botulism**Regulations:**

- PLACARD. None.
ISOLATION. None.
QUARANTINE. None.
CONCURRENT DISINFECTION. None.
TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. A disease of intoxication, the symptoms of which develop suddenly with gastrointestinal pain, diarrhea or constipation, prostration, and a variety of central nervous system paralyses, the first of which is likely to be an oculo-motor paralysis, all due to the toxin of the particular saprophytic organism. Biological and toxicological tests with laboratory animals may confirm presence of toxin of the botulinus bacillus in the food.

ETIOLOGICAL AGENT. Toxin produced by botulinus bacillus in foods improperly processed.

SOURCE OF INFECTION. Food usually taken uncooked from cans or jars not subjected to adequate heat of sufficient duration or steam under sufficient pressure during processing.

MODE OF TRANSMISSION. Eating food containing botulinus toxin.

INCUBATION PERIOD. Term doesn't apply. Symptoms appear usually in 24 hours after taking the particular food product.

PERIOD OF COMMUNICABILITY. Not communicable.

IMMUNIZATION. In exposed cases by large doses of polyvalent botulism antitoxin used intravenously.

Recommendations:

Education of housewives and others concerned with home canning of foods in essentials of safe processing, as to time, pressure, and temperature factors.

Education of the value of heating with a small amount of soda, canned green and leafy vegetables before serving, and thorough cooking of sausage and other meats and fish products held for later consumption.

Chancroid**Regulations:**

- PLACARD. None, provided patient is under adequate medical treatment and not exposing others to infection.
ISOLATION. None, provided patient is under adequate medical treatment and not exposing others to infection.
QUARANTINE. None.
CONCURRENT DISINFECTION of all discharges from lesions and articles soiled therewith.
TERMINAL DISINFECTION. None.

Information:

INFECTIOUS AGENT. Probably bacillus Ducrey.

SOURCE OF INFECTION. Discharges from lesions and articles freshly soiled therewith.

MODE OF TRANSMISSION. Direct personal contact with infected person. Indirectly by contact with discharges from lesions.

INCUBATION PERIOD. One to five days.

PERIOD OF COMMUNICABILITY. As long as lesions are open.

Recommendations:

Clinical symptoms should be confirmed by microscopic examination of discharges.

Sex hygiene education should be given.

Chicken Pox**Regulations:**

PLACARD. None, provided regulations are observed.

ISOLATION. For ten days after eruption of first vesicles.

QUARANTINE. None. Susceptible children under 16 in the infected household may be allowed to continue in school, but must be sent home at first sign of illness. No restrictions of immune children or adults.

CONCURRENT DISINFECTION of articles soiled by discharges from lesions.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. Clinical picture is of an acute disease with a slight fever, mild constitutional symptoms, and an eruption, maculopapular for a few hours, often not observed, vesicular lasting 3 to 4 days, leaving a granular scab. Vesicles tend to be more abundant on the covered than on the exposed parts of the body, and frequently appear in different stages on the same region of the body. The vesicles may be so few as to escape observation.

ETIOLOGICAL AGENT. A specific filterable virus.

SOURCE OF INFECTION. The infectious agent is presumably present in lesions of the skin and mucous membranes; the latter appearing early and rupturing as soon as they appear, render the disease communicable early, that is, before the exanthem is in evidence.

MODE OF TRANSMISSION. Directly from person to person; indirectly through articles freshly soiled by discharges from an infected person.

INCUBATION PERIOD. Two to three weeks.

PERIOD OF COMMUNICABILITY. Probably not more than six days after appearance of first crop of vesicles and certainly not more than 10 days.

IMMUNIZATION. None.

Recommendations:

A differential diagnosis of this disease from Smallpox is important in persons over 15 years of age. During an epidemic of Smallpox, all reported cases of Chicken Pox should be investigated.

Cholera

Regulations:

PLACARD. Yes.

ISOLATION of patient in hospital or screened room during communicable period.

QUARANTINE of contacts for five days from last exposure, or longer if stools are found to contain cholera vibrio. (Quarantine carriers until free from infective agent.)

CONCURRENT DISINFECTION. Prompt and thorough disinfection of stools and vomited matter. Articles used by and in connection with the patient must be disinfected. Food left by the patient must be burned.

TERMINAL DISINFECTION. Bodies of those dying from cholera should be cremated if practicable, otherwise wrapped in a sheet wet with disinfectant solution and placed in water-tight caskets. The room in which sick person was isolated must be thoroughly cleaned and disinfected and rest of premises must be thoroughly cleaned.

Information:

RECOGNITION OF THE DISEASE. In a few mild cases, diarrhea may be the chief or only symptom. In the typical case, rice-water stools, vomiting, and general symptoms of dehydration occur with thirst, pain, and coma. The cholera vibrios are found in the stools.

ETIOLOGICAL AGENT. Cholera vibrio, *Vibrio Comma*.

SOURCE OF INFECTION. Bowel discharges and vomitus of infected persons and feces of convalescent or healthy carriers. Ten per cent of contacts may be found to be carriers.

MODE OF TRANSMISSION. By food and water polluted by infectious agent; by contact with infected persons, carriers, or articles freshly soiled by their discharges; by flies.

INCUBATION PERIOD. One to five, usually three days, occasionally longer if the healthy carrier stage, before development of symptoms, is included.

PERIOD OF COMMUNICABILITY. Usually 7 to 14 days or longer and until the infectious agent is absent from bowel discharges.

IMMUNIZATION. Cholera vaccination.

Recommendations:

Rigid personal prophylaxis of attendants by scrupulous cleanliness. disinfection of the hands each time after handling patient or touching articles contaminated by dejecta, the avoidance of eating or drinking anything in the room of the patient, and the prohibition of those attendant on the sick from entering the kitchen.

Bacteriological examination of stools of all contacts to determine carriers. Isolation of carriers.

Water should be boiled, if used for drinking or toilet purposes, or if used in washing dishes or food containers, unless the water supply is adequately protected against contamination or is so treated, as by chlorination, that the cholera vibrio cannot survive in it.

Careful supervision of food and drink. Where cholera is prevalent, only cooked foods should be used. Food and drink after cooking and boiling should be protected against contamination, as by flies and human handling.

EPIDEMIC MEASURES. Inspection service for early detection of cases; examination of persons exposed in infected centers for detection of carriers, with isolation or control of carriers; disinfection of rooms occupied by the sick, and the detention, in suitable camps for five days of those desirous of leaving for another locality. Those so detained should be examined for detection of carriers.

Colorado Tick Fever (Mountain Fever, Tick Fever, Mountain Tick Fever, American Mountain Tick Fever)

Regulations: Report only.

Information:

RECOGNITION OF THE DISEASE. A rather mild febrile illness with no reported fatalities. The onset is sudden with fever, headache, chills, muscle pains and photophobia. The febrile curve remains elevated for 2 to 3 days, following which there is usually one remission of 2 to 3 days followed by a relapse of like duration. There is usually a rather marked leucopenia. No rash occurs.

ETIOLOGICAL AGENT. Unknown.

SOURCE OF INFECTION. The wood tick, *D. andersoni*.

INCUBATION PERIOD. Usually 4 to 5 days.

PREVALENCE. The Rocky Mountain states, during the wood tick season (March to July).

Dengue

Regulations:

PLACARD. None.

ISOLATION. Patient must be kept in screened room.

QUARANTINE. None.

CONCURRENT DISINFECTION. None.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. An acute febrile infection of sharp onset with two paroxysms, of short duration. Intense headache, joint and muscle pains, and irregular eruption are usual.

ETIOLOGICAL AGENT. A specific filterable virus.

SOURCE OF INFECTION. Blood of infected persons during first 3 days of disease.

MODE OF TRANSMISSION. Bite of infected mosquito aedes Aegypti.

INCUBATION PERIOD. Three to ten days.

PERIOD OF COMMUNICABILITY. From day before onset to fifth day of disease.

Recommendations:

Measures directed toward elimination of mosquitoes. Screening of rooms.

Diphtheria

Regulations:

PLACARD. Yes.

ISOLATION. Until two cultures from the throat and two from the nose, taken not less than 24 hours apart after 14 days from the onset of the disease, fail to show the presence of diphtheria bacilli. Isolation may be terminated if the microorganism reported as morphologically "positive," persistently present, proves to be an avirulent form.

QUARANTINE. No restrictions of adults if patient is properly isolated, or has been hospitalized, or adults leave home and provided that two consecutive negative nose and throat cultures are obtained at least 24 hours apart. Food handlers and school teachers shall be subject to the same restrictions as school children. (See special food handlers regulation No. 3, page 4.)

Children under 16 shown to be immune by a Schick test or on the basis of a previous attack of the disease, may return to school provided they live away from home or case is hospitalized, and if two consecutive negative nose and throat cultures taken at an interval of not less than 24 hours have been obtained.

Non-immune children under 16 may return to school after a quarantine period of one week has elapsed from date of last exposure and provided that they have lived away from home, or case has been hospitalized and two consecutive nose and throat cultures taken at least 24 hours apart are both negative.

Children under 16 in constant contact with the infected patient shall be quarantined for 2 weeks from date of onset of last case and until two negative nose and throat cultures are obtained at least 24 hours apart.

CONCURRENT DISINFECTION of all articles which have been in contact with the patient, and all articles soiled by discharge of the patient.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. An acute febrile infection, generally of the air passages, especially of tonsils, throat, and nose, marked by a patch or patches of dirty white and grayish membrane, from which cultures of the diphtheria bacillus may be obtained. Cases of diphtheritic infection in infants and of nasal diphtheria at all ages are often missed because of the lack of definite local symptoms.

ETIOLOGICAL AGENT. Diphtheria bacillus, *Corynebacterium diphtheria*, the Klebs-Loeffler bacillus.

SOURCES OF INFECTION. Discharges from diphtheritic lesions of nose, throat, conjunctive, vagina and wound surfaces. Secretions from the nose and throat of carriers of the bacillus.

MODE OF TRANSMISSION. Directly by personal contact, indirectly by articles freshly soiled with discharges or through infected milk or milk products.

INCUBATION PERIOD. Usually two to five days, occasionally longer if a healthy carrier stage precedes development of clinical symptoms.

PERIOD OF COMMUNICABILITY. Until virulent bacilli have disappeared from secretions and lesions.

IMMUNIZATION: Passive: with diphtheria antitoxin; active: with toxoid.

Recommendations:

ACTIVE IMMUNIZATION of all children by the end of the first year without prior Schick testing. This same procedure should be repeated on all children at or below 6 years of age before entrance into school.

EXPOSED SUSCEPTIBLES who cannot be kept under daily observation by a physician or nurse should be promptly immunized by antitoxin.

Pasteurization of milk supplies.

Educational measures to inform the public, and particularly the parents of little children, of the advantages of toxoid immunization in infancy.

In treatment of a case it is recommended that two hundred units of antitoxin per pound of the patient's weight be considered a minimum dose.

Dysentery, Amebic (Amebiasis)**Regulations:**

PLACARD. None.

ISOLATION. None.

QUARANTINE. None.

CONCURRENT DISINFECTION of bowel discharges.

TERMINAL DISINFECTION. Thorough cleaning.

INFECTED PERSONS AND CARRIERS prohibited from handling milk or other foods. (See Special Regulation No. 3, page 4.)

Information:

RECOGNITION OF THE DISEASE. Insidious and undetermined onset characterizes mild acute cases, with digestive disturbance, anorexia, diarrhea or constipation, and usually little abdominal discomfort. Severe acute cases following massive infection may simulate acute appendicitis, or other acute surgical abdominal condition with high temperature and severe prostration. The sub-acute and chronic forms of the disease vary widely in the extent of local and constitutional symptoms. There may or may not be diarrhea or constipation; or these may alternate in the same patient.

ETIOLOGICAL AGENT. *Endamoeba Histolytica*.

SOURCE OF INFECTION: Bowel discharges of infected persons.

MODE OF TRANSMISSION. Drinking contaminated water or milk and eating infected foods, especially those served cold and moist; hand to mouth transfer of infected material; from moist objects soiled with discharges of an infected individual; by flies.

INCUBATION PERIOD. Commonly 3 to 4 weeks.

PERIOD OF COMMUNICABILITY. During course of disease and until repeated microscopic examinations of stools show absence of the *Endamoeba Histolytica* (either trophozoites or cysts).

IMMUNIZATION. None.

Recommendations:

Sanitary disposal of human excreta. Protection of water supplies against fecal contamination and supervision of all foods eaten raw. Boil drinking water unless known to be free from contamination. Location and supervision of carriers.

Dysentery, Bacillary**Regulations:**

PLACARD. None.

ISOLATION. Until bowel discharges are free from dysentery bacilli.

QUARANTINE. None.

CONCURRENT DISINFECTION of bowel discharges.

TERMINAL DISINFECTION. Thorough cleaning.

SALE OF MILK OR FOOD from premises occupied by the patient is prohibited unless the persons engaged therein occupy quarters separate from the house where the patient is sick, and all utensils used are cleaned and kept in a separate building and under a permit from the health officer. (See Special Regulations No. 3, page 4.)

Information:

RECOGNITION OF THE DISEASE. The disease exhibits an acute onset with diarrhea, in severe cases causing fever, tenesmus, and frequent stools containing blood and mucus. The milder cases are difficult to recognize clinically because of variability of symptoms. By adequate laboratory examination the infecting organism can usually be identified.

ETIOLOGICAL AGENT. Dysentery bacilli.

SOURCE OF INFECTION: Bowel discharges of infected persons.

MODE OF TRANSMISSION. Eating infected foods and by hand to mouth transfer of infected material; from objects soiled with discharges of an infected individual or carrier; by drinking contaminated water; by flies.

INCUBATION PERIOD. Two to 7 days.

PERIOD OF COMMUNICABILITY. During febrile period of the disease and until the organism is absent from bowel discharges.

IMMUNIZATION. Vaccines may give some immunity. Owing to severe reactions, their use is not recommended, nor should vaccination be made compulsory except under extreme emergency.

Recommendations:

Supervision of public water supplies and pasteurization of public milk supplies; use of boiled milk for infant feeding.

Rigid personal prophylaxis of attendants. Search for and control of carriers. Sanitary disposal of human excreta. Protection of patient and discharges against flies.

Encephalitis, Infectious, Lethargic and Nonlethargic

Regulations:

PLACARD. None.

ISOLATION. For one week after onset.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges from nose and throat and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. Largely clinical. At least four forms occur in the United States: the Vienna type (originally called lethargic von Economo, later called type A), the St. Louis

type, the Eastern equine type, and the Western equine type. The last three resemble each other and the Japanese type B (which is not known to occur in the United States) more than any of them resemble the Vienna type. The Vienna type is the most chronic and variable in course, often with a mild febrile onset, later with symptoms of brain or nerve involvement, such as slight meningeal irritation, somnolence, diplopia or evident paralysis of eye muscles, insomnia, restlessness, twitching, myoclonia, catatonia, with or without fever; and still later at times, slow, semirigid movements, coarse tremor, masklike expression or other disturbances of motility, psychic or behavior disturbances, often with exacerbations and remissions over several years. Though an individual case of the St. Louis type may be indistinguishable from the Vienna type, in the St. Louis type the onset is usually more abrupt as to fever and headache, with drowsiness rather than deep sleep, disorientation, motor disturbances, but very infrequent paralysis of the eye muscles, meningeal irritation with an increase of cells in the spinal fluid more uniformly than in the Vienna type, and usually complete and fairly prompt recovery in the nonfatal cases. All ages are attacked in all four types, children and young adults more frequently in the Vienna and Western equine types, the older ages in the St. Louis (and Japanese B) types, very young children in the Eastern equine type. The Western equine type is somewhat similar clinically to the St. Louis type, while the Eastern equine type has been a more severe and fatal disease in humans and is likely to leave nervous and mental sequelae in the patients who survive. These forms of encephalitis are to be distinguished from post- or para-infectious encephalitis which follows or accompanies such infections as measles, vaccinia, and chicken pox, by the history of the other infection immediately preceding.

ETIOLOGICAL AGENT. Probably a virus for type A; a specific filterable virus for type B.

SOURCE OF INFECTION. Probably discharges from the nose and throat of carriers or infected persons, or articles freshly soiled therewith.

MODE OF TRANSMISSION. Probably by direct contact with a carrier or an infected person, or by contact with articles freshly soiled with discharges of the nose and throat of such persons.

INCUBATION PERIOD. Four to 21 days.

PERIOD OF COMMUNICABILITY. Unknown; cases rarely traceable to any previous case. Presumably at a maximum during acute febrile stage of the disease.

IMMUNIZATION. None.

Recommendations:

Microscopic and chemical examination of spinal fluid if lumbar puncture is performed, especially in type B.

Search for prior cases in the community and for unreported cases among the associates of the patient may develop useful epidemiological information, but so far is of no practical value in control of the disease.

Isolation of suspected febrile cases pending diagnosis.

Regulations:**Erysipelas**

PLACARD. None.

ISOLATION. Until complete recovery.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges from lesions and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. This is an acute infectious disease of the skin caused by hemolytic streptococci. The streptococci occur chiefly in the lymph spaces in the corium, rarely in the subcutaneous tissue. The skin becomes red, swollen, edematous and often covered with small or large vesicles. The rash spreads peripherally with the advance of the organisms in the tissue spaces.

ETIOLOGICAL AGENT. *Streptococcus haemolyticus*.

SOURCE OF INFECTION. Infected persons or carriers or articles freshly soiled with discharges from a case.

MODE OF TRANSMISSION. Direct contact with a patient or articles soiled by discharges from a patient. Contact with a carrier.

INCUBATION PERIOD. Two to 7 days.

PERIOD OF COMMUNICABILITY. Until complete recovery of the patient and lesions have healed.

IMMUNIZATION. "Passive" immunization by use of anti-erysipelas serum. No active immunization.

Recommendations:

In hospitals (especially maternity) the isolation should be especially strict.

Regulations:**Favus**

PLACARD. None.

ISOLATION. Until lesions have healed.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges from lesions and articles soiled therewith; especially toilet articles.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. A parasitic fungus disease of the skin, usually on the scalp, marked by cup-shaped yellowish crusts covering the hair follicles.

ETIOLOGICAL AGENT. *Achorion schoenleinii*.

SOURCE OF INFECTION. Discharges from lesions.

MODE OF TRANSMISSION. Direct contact with patient; indirectly through contaminated articles, especially toilet articles.

INCUBATION PERIOD. Unknown.

PERIOD OF COMMUNICABILITY. Until all lesions are healed as shown by absence of scaling and erythema, to be confirmed by microscopic examination, culture and absence of fluorescence under a suitable ultra-violet light.

IMMUNIZATION. None.

Recommendations:

Elimination of common towels, hair brushes and combs.

Food Infections and Poisonings

(See Special Regulations for Botulism)

Regulations:

Report only.

Information:

ETIOLOGICAL AGENT. A variety of organisms, most frequently of the interiditis or salmonella or staphylococcus groups. A variety of organic and inorganic poisons.

SOURCE OF INFECTION. Food recently ingested.

MODE OF TRANSMISSION. In the case of bacterial poisonings, by the transfer of the particular etiological agent by food handlers to the food ingested. Hands unwashed after use of toilet, or hands or arms with furuncles, boils, or other sores are usual means of contamination of foods. Ingestion of foods to which some poisonous substance was accidentally or intentionally added, or in which a natural but poisonous substance occurs.

INCUBATION PERIOD. Bacterial infections, one to twenty-four hours. Non-bacterial, immediately to several hours.

PERIOD OF COMMUNICABILITY. This term does not apply to these conditions.

Recommendations:

Specimens of foods suspected should be secured and used for laboratory examination.

Feces and vomitus of patients should be collected for bacteriological and chemical examination.

Persons concerned with the preparation and serving of foods should be brought under observation for medical and bacteriological examination to determine the possible origin, whether from bowel discharges or infections of the skin.

Epidemiological inquiries should include particular study of water, food and milk used by persons affected.

German Measles (Rubella)

Regulations:

PLACARD. None.

ISOLATION. Separation of the patient from non-immune children and exclusion of the patient from school and public places for the period of presumed infectivity (which is usually considered to be 7 days).

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges from nose and throat and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. A febrile infection occurring frequently in epidemics, characterized by a polymorphous rash, sometimes resembling that of measles, sometimes that of scarlet fever, and sometimes of both at the same time; few or no constitutional symptoms but almost always enlargement of post-auricular, sub occipital and cervical, and occasionally of other lymph nodes. Usually absence of leukocytosis.

ETIOLOGICAL AGENT. Unknown.

SOURCE OF INFECTION. Secretions of mouth and nose.

MODE OF TRANSMISSION. By direct contact with the patient or with articles freshly soiled with discharges from the nose or throat of the patient.

INCUBATION PERIOD. Fourteen to 21 days.

PERIOD OF COMMUNICABILITY. From onset of catarrhal symptoms for at least four days but not more than seven. Highly communicable.

IMMUNIZATION. None.

Recommendations:

Careful differential diagnosis should be made between this disease and scarlet fever.

Glanders

Regulations:

PLACARD. None.

ISOLATION. Human cases at home or hospital until lesions have healed. Infected horses should be destroyed.

QUARANTINE. None for humans. Quarantine of all horses in an infected stable until all have been tested by specific reaction, and the removal of infected horses and terminal disinfection of stables have been accomplished.

CONCURRENT DISINFECTION of discharges from human cases and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. Occurs in two forms, one external affecting the skin and known as "farcy," and an internal form known as "glanders." It may appear as an acute or chronic disease, with widely variable symptoms, the diagnosis being established by one or other of the following biological reactions: The complement fixation test, the mallein test, the agglutination test, or by nonspecific reactions, such as the Straus reaction, if confirmed by culture, or by identification of the *Malleomyces mallei*, or by autopsy where diagnosis has been uncertain at time of death.

ETIOLOGICAL AGENT. Glanders bacillus, *Pfeifferella mallei*.

SOURCE OF INFECTION. Discharges from open lesions of mucous membranes, or of the skin of human or equine cases of the disease (i. e., pus and mucus from the nose, throat and bowel discharges from infected man and horse).

MODE OF TRANSMISSION. Contact with a case or with articles freshly soiled by discharges from a human or equine case.

INCUBATION PERIOD. Usually one to five days.

PERIOD OF COMMUNICABILITY. Until bacilli disappear from discharges or until lesions have healed.

Recommendations:

Confirm diagnosis by laboratory tests.

Skin contact with the lesions in the living or dead body is to be scrupulously avoided.

Abolition of the common drinking trough for horses.

Sanitary supervision of stables.

Semi-annual testing of all horses by a specific reaction where the disease is common.

Gonorrhea

Regulations:

(See further laws and regulations noted under Sections of Division of Social Hygiene Laws and Regulations.)

PLACARD. None, provided regulations are observed. Violations shall be placarded.

QUARANTINE AND ISOLATION. (Refer to Regulation Rule 12b of the Division of Social Hygiene Laws and Regulations.)

CONCURRENT DISINFECTION of discharges from lesions and articles soiled therewith.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. Occurring initially as an infection of one of the mucous membranes, most frequently of the genital tract, urethra in both sexes, the vaginal or uterine mucosa in the female, the disease develops as an acute or chronic process in adjacent or remote tissues, among the latter especially as arthritis and endocarditis. Relapsing and chronic inflammatory discharging conditions at the site of original attack are common. Demonstration of the etiological agent in the lesions or discharges is the best and only certain diagnostic procedure.

ETIOLOGICAL AGENT. Gonococcus.

SOURCE OF INFECTION. Discharges from lesions of inflamed mucous membranes and glands of infected persons and articles soiled therewith.

MODE OF TRANSMISSION. Direct contact with infected persons, and indirectly by contact with articles freshly soiled with the discharges of such persons. In adults by sexual intercourse; in children by other personal and indirect contact with discharges.

INCUBATION PERIOD. One to eight days.

PERIOD OF COMMUNICABILITY. As long as the gonococcus persists in any of the discharges.

IMMUNIZATION. None.

Recommendations:

See Special Regulations in the Section of the Laws and Regulations of the Division of Social Hygiene.

Education of the public in matters of sexual hygiene.

Gonorrheal Ophthalmia

Regulations:

PLACARD. None.

ISOLATION. None, provided patient is under adequate medical supervision.

QUARANTINE. None.

CONCURRENT DISINFECTION. Disinfection of conjunctival discharges and articles soiled therewith.

Recommendations:

TERMINAL DISINFECTION. Thorough cleaning.

PROPHYLAXIS. Silver Nitrate solution (1%) or its equivalent in eyes of newborn.

(Note: See Senate Bill No. 97—An Act for the Prevention of Blindness in the Newly Born.)

Information:

RECOGNITION OF THE DISEASE. Acute redness and swelling of the conjunctiva of one eye or of both eyes, with muco-purulent and purulent discharge in which the infecting microorganism is identifiable by microscopic and cultural methods.

ETIOLOGICAL AGENT. The gonococcus.

SOURCE OF INFECTION. Discharges from conjunctivae or adnexa or genital mucous membranes of infected persons.

MODE OF TRANSMISSION. Contact with infected persons or articles freshly soiled with discharges of such persons.

INCUBATION PERIOD. Usually 36 to 48 hours.

PERIOD OF COMMUNICABILITY. Until discharges of infected mucous membranes have ceased.

Recommendations:

Carry out measures indicated in methods for control of gonorrhea.

Regulations:**Impetigo Contagiosa**

PLACARD. None.

ISOLATION. Until lesions are healed.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges from lesions and articles soiled therewith.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. A purulent dermatitis occurring sporadically and in small epidemics and characterized by vesicular lesions turning to crusting seropurulent plaques, commonly on the face and often on the hands, sometimes widely scattered over the body. Bacteriological determination of the infecting micro-organism is of no importance.

ETIOLOGICAL AGENT. A variety of cocci, commonly streptococci and staphylococci.

SOURCE OF INFECTION. Lesions on the skin of an infected person.

MODE OF TRANSMISSION. By direct contact with an infected person and indirectly by contact with articles recently soiled by discharges from skin lesions of infected persons. The infection is easily inoculable from place to place on the patient's body by scratching.

INCUBATION PERIOD. Two to 5 days.

PERIOD OF COMMUNICABILITY. Until lesions are healed.

IMMUNIZATION. None.

Recommendations:

Avoid use of common toilet articles among children. Prompt treatment to prevent extension to new sites and shorten period of communicability.

Regulations:**Influenza**

PLACARD. None.

ISOLATION. During the acute stage of the disease.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges from nose and throat of the infected person.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. Whether occurring in a pandemic, in endemic-epidemic incidence, or as sporadic cases this disease is characterized in its typical form by sudden onset, fever of 1 to 7 days' duration, accompanied by excessive prostration, aches and pains in back and limbs, coryza and bronchitis, and not uncommonly by pneumonia as a complication. During epidemics when such cases occur in large numbers and over a wide area, other cases of less distinctive type are found to be epidemiologically related to typical cases, and in these the diagnosis would not be made without such obvious association. The clinical criteria of influenza are quite indefinite, particularly in absence of widespread prevalence of the disease. Microscopic or other laboratory procedures are of no practical value in determining or excluding the diagnosis of influenza.

ETIOLOGICAL AGENT. A filterable virus, associated often with various types of bacteria as secondary invaders.

SOURCE OF INFECTION. Probably discharges from throat and nose of infected persons and articles freshly soiled by such discharges.

MODE OF TRANSMISSION. Believed to be by direct contact, by droplet infection, or by articles freshly soiled with discharges of the nose and throat of infected persons.

INCUBATION PERIOD. Usually 24 to 72 hours.

PERIOD OF COMMUNICABILITY. Undetermined.

IMMUNIZATION. None.

Recommendations:

During epidemics efforts should be made to reduce opportunities for direct contact infection, as in crowded halls, stores and street cars. Kissing, the use of common towels, glasses, eating utensils, or toilet articles should be avoided. In isolated towns and institutions infections have been delayed and sometimes avoided by strict exclusion of visitors from already infected communities.

The closing of public, parochial and private schools has not been effective in checking the spread of infection. The judicious use of masks by nurses and other attendants may prove of value in preventing infection in hospitals. Scrupulous cleanliness of dishes and utensils used in preparing and serving food in public eating places should be required, including the subjection of such articles to disinfection in hot soap suds. In groups which can be brought under daily professional inspection, the isolation of early and suspicious cases of respiratory tract inflammation, particularly when accompanied by a rise in temperature, may delay the spread of the disease. To minimize the severity of the disease, and to protect the patient from secondary infections and thus reduce mortality, patients should go to bed at the beginning of an attack, and not return to work without the approval of their physician. Crowding of beds in hospitals and institutions to accommodate increased numbers of patients and other inmates is to be especially avoided. Increased spacing between beds in wards and dormitories should be carried out to reduce the risk of attack, and of the occurrence of pneumonia.

Regulations:**Leprosy**

PLACARD. None.

ISOLATION of bacteriologically positive cases occurring in endemic form in national lepersarium until a condition of apparent arrest has been present for at least six months, as determined by clinical observation and by absence of acid-fast bacilli on repeated examinations. Paroled and other negative lepers should be reexamined periodically every six months.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning of living premises.

Information:

RECOGNITION OF THE DISEASE. The disease is to be identified by lesions of the skin and mucous membranes and by neurological manifestations. Confirmation by microscopic examination is usually possible in cutaneous and mixed types of the disease but may be difficult or impossible in maculo-anesthetic and neural cases.

ETIOLOGICAL AGENT. Leprosy bacillus. *Mycobacterium leprae*.

SOURCE OF INFECTION. Discharges from lesions.

MODE OF TRANSMISSION. Intimate and prolonged contact with infected individuals and some other as yet undetermined factors are apparently necessary.

INCUBATION PERIOD. Probably from one to several years.

PERIOD OF COMMUNICABILITY. Commences when lesions become open and continues until healing. Patients with demonstrable acid-fast bacilli in smears from skin or mucous membranes are potentially "open" cases even if demonstrable ulceration is not present.

IMMUNIZATION. None.

Recommendations:

As a temporary expedient, lepers may be properly cared for in local hospitals, or if conditions of the patient and his environment warrant, he may be allowed to remain on his own premises under suitable regulations.

Regulations:

Malaria

PLACARD. None.

ISOLATION. None, except protection of patient from approach of mosquitoes by screening bedroom or house until blood is rendered free from malaria parasites through treatment.

QUARANTINE. None.

CONCURRENT DISINFECTION. None. Destruction of anopheles mosquitoes in the sick room.

TERMINAL DISINFECTION. None. Destruction of anopheles mosquitoes in the sick room.

Information:

RECOGNITION OF THE DISEASE. A group of specific infectious fevers due to invasion of the red blood cells by one of at least three types of Sporozoa of the genus **Plasmodium**. These fevers occur endemically or epidemically and are associated with a symptom complex fairly characteristic of each variety, marked particularly by periodicity of fever and symptoms due to the growth and development of the organism. Enlargement of the spleen, secondary anemia, and the characteristic recurrence of chills and fever as clinical findings are confirmed by observing presence of the malaria parasites in blood film on microscopic examination. Mosquitoes of anopheline family are the only known vectors.

ETIOLOGICAL AGENT. *Plasmodium vivax* (tertian); *plasmodium malariae* (quartan); *plasmodium falciparum* (aestivo-autumnal).

SOURCE OF INFECTION. The blood of an infected individual.

MODE OF TRANSMISSION. By bite of an infected anopheles mosquito.

INCUBATION PERIOD. Varies with type of species of infecting organism and the amount of infection.

PERIOD OF COMMUNICABILITY. As long as the sexual form of the malaria micro-organism exists in the circulating blood in sufficient quantities to infect mosquitoes.

IMMUNIZATION. None.

Recommendations:

Mosquito abatement.

Measles**Regulations:**

PLACARD. None.

ISOLATION. A minimum period of 9 days from onset and until cessation of abnormal mucous secretions or for 7 days from appearance of the rash.

QUARANTINE. When the disease is very prevalent and in large communities, quarantine of exposed susceptible children is impracticable and of no value. Exclusion of exposed susceptible school children and teachers from school until 14 days from last exposure may be justifiable under sparsely settled rural conditions. This applies to exposure in the household. Exclusion of exposed susceptible children from all public gatherings under the same conditions for the same period. If the date of only exposure is reasonably certain, an exposed susceptible child of school age may be allowed to attend school for the first 7 days of the incubation period. Quarantining of institutions of young children and of wards or dormitories where exposure is suspected is of value. Strict quarantine wards of infants if a case occurs in an institution is important.

CONCURRENT DISINFECTION of all articles soiled with secretions of the nose and throat.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. Clinical characteristics are fever, catarrhal symptoms in eyes and nose and throat in the prodromal stage, as well as at the height of the disease, an early eruption in the mouth, Koplik spots, later an exanthem and enanthem, and a branny desquamation during convalescence. When the disease is prevalent, or a susceptible child has been exposed to a case of measles, the diagnosis should be suspected on appearance of the fever and catarrhal symptoms, without waiting for confirmatory eruptions, and isolation precautions should be instituted at once.

ETIOLOGICAL AGENT. A specific filterable virus.

SOURCE OF INFECTION. Mouth and nose secretions of infected individual.

MODE OF TRANSMISSION. Directly from person to person; indirectly through articles freshly soiled with nose and mouth discharges of an infected person. The most easily transmitted of all communicable diseases.

INCUBATION PERIOD. About 8 to 10 days from date of exposure to onset of fever; 12 to 14 days to appearance of rash.

PERIOD OF COMMUNICABILITY. During the period of catarrhal symptoms and until cessation of abnormal mucous membrane secretions—minimum period of 9 days; from 4 days before to 5 days after appearance of the rash.

IMMUNIZATION by use of serum or whole blood of convalescent patients, or of healthy adults who have had measles, given within 5 days after exposure to a known case of measles, the attack in the exposed person may be averted in a high percentage of instances; if not averted the disease is modified. Given later, but at a time prior to clinical onset of the disease, convalescent serum usually modifies the severity of the attack and the patient probably acquires the usual lasting immunity to the disease.

Recommendations:

Daily examination of exposed children and of other possibly exposed persons. This examination should include record of body temperature. A non-immune exposed individual exhibiting a rise of temperature of 0.5 degrees C. or more should be promptly isolated pending diagnosis.

Schools should not be closed or classes discontinued where daily observation of children by a nurse or physician is provided.

Education as to special danger of exposing young children to those exhibiting acute catarrhal symptoms of any kind.

In institutional outbreaks, immunization with convalescent serum of all minor inmates who have not had measles is of value in checking the spread of infection and reducing mortality.

The immunization of infants and children under 3 years of age with convalescent serum or whole adult blood in families where cases of measles occur in older children or adults should be encouraged.

Meningococcus Meningitis

Regulations:

PLACARD. Yes.

ISOLATION of infected persons until 14 days after onset of the disease.

QUARANTINE. Children under 16 in infected household shall be confined to premises for 10 days. No restrictions of adults if patient is properly isolated or if adults live away from home. School teachers and food handlers subject to same restrictions as school children. Food handlers and others whose occupation brings them in contact with children have no restrictions if they live away from home. Children under 16 may be released (a) 10 days from date of removal of patient to hospital or (b) 10 days from date that the contacts leave the home. (See Special Regulations for food handlers, Reg. No. 3, page 4.)

CONCURRENT DISINFECTION of discharges from nose and throat and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. An acute infectious disease with sudden onset, fever, headache, nausea, rigidity of neck, and in epidemics not infrequently petechial spots on the skin. The specific micro-organism in one of its several types may in some cases be found in the early stages by blood culture, and usually during the course of the disease in the spinal fluid, and in the discharges of the retronasal surfaces. The disease occurs in epidemic and sporadic manner.

ETIOLOGICAL AGENT. Meningococcus.

SOURCE OF INFECTION. Discharges from the nose and throat of infected persons and carriers.

MODE OF TRANSMISSION. Direct contact with infected persons and carriers; indirectly by contact with articles freshly soiled with nasal and mouth discharges of such persons.

INCUBATION PERIOD. Two to 10 days, commonly 7.

PERIOD OF COMMUNICABILITY. Until meningococci are no longer present in nasopharynx.

IMMUNIZATION. None.

Recommendations:

Prevention of overcrowding in living quarters, transportation conveyances, working places, and especially in barracks, camps and ships.

Epidemic measures. Increase the separation of individuals and the ventilation in living and sleeping quarters. Chilling, bodily fatigue, and strain should be minimized for those especially exposed to infection.

Mumps**Regulations:**

PLACARD: None.

ISOLATION. Until the parotid gland has returned to normal size.

QUARANTINE. None. Exposed susceptible persons should be regularly inspected for the onset of initial symptoms for 3 weeks from date of last exposure.

CONCURRENT DISINFECTION. All articles soiled with the discharges of nose and throat of the patient.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. An acute specific infection characterized by fever, swelling, and tenderness of the salivary glands usually of the parotid, sometimes of the sublingual or submaxillary glands. Involvement of ovaries and testicles is most frequent in persons over puberty; rarely, involvement of the central nervous system is encountered early or later in the course of the disease.

ETIOLOGICAL AGENT. A specific filterable virus.

SOURCE OF INFECTION. Secretions of mouth and possibly the nose.

MODE OF TRANSMISSION. By direct contact with an infected person or with articles freshly soiled with discharges from mouth and nose of infected persons.

INCUBATION PERIOD. From 12 to 26 days.

PERIOD OF COMMUNICABILITY. Unknown, but assumed to persist until parotid gland has returned to normal size.

IMMUNIZATION. None.

Plague

Regulations:

PLACARD. Yes.

ISOLATION. In a screened room which is free from vermin until convalescence is well established. (Note: In plague pneumonia, personal prophylaxis to avoid droplet infection must be carried out by persons coming in contact with the sick. Masks with closely woven cloth with mica windows should be worn over the head and to the shoulders. A long gown and rubber gloves drawn over the sleeves of the gown should be provided. These articles should not be removed from the sick room until disinfected.)

QUARANTINE. Contacts of pneumonia cases for 7 days.

CONCURRENT DISINFECTION of all discharges and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning followed by fumigation to destroy rats and fleas.

Information:

RECOGNITION OF THE DISEASE. An acute infection running a rapid, severe course, often terminating fatally, and characterized by extreme weakness, high fever, buboes, severe general symptoms, and often accompanied by subcutaneous hemorrhage and pustules. The infecting micro-organism is regularly found in the buboes and skin lesions, and in the pneumonic type of the disease in the sputum. Pneumonic plague gives the picture of a virulent septic pneumonia.

ETIOLOGICAL AGENT. Plague bacillus, *Pasteurella Pestis*.

SOURCE OF INFECTION. Blood of infected rodents, and in pneumonic form, sputum of human cases.

MODE OF TRANSMISSION. Direct in pneumonic form. In other forms the disease is generally transmitted by the bites of fleas, by which the disease is carried from rats to man, also by fleas from other rodents. Accidental, by inoculation.

INCUBATION PERIOD. Commonly 3 to 7 days; occasionally prolonged to 8 or even 14 days.

PERIOD OF COMMUNICABILITY. Pneumonia type intensely communicable during acute symptoms. Bubonic type not communicable from person to person.

IMMUNIZATION. Ordinarily not practicable.

Recommendations:

Extermination of rats and other rodents.

Rat-proofing buildings and elimination of breeding places.

Investigation of all deaths during epidemics with autopsy and laboratory examination.

Supervision of dead during epidemics.

Pneumonia, Acute Lobar

Regulations:

PLACARD. None.

ISOLATION of the patient during clinical course of the disease.

QUARANTINE. None.

CONCURRENT DISINFECTION of all discharges from nose and throat of the patient.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. An acute infection characterized by sudden onset with chill followed by fever, often pain in the chest, usually cough and dyspnea. In many cases in children, vomiting and convulsions occur at the onset. Recognition of the infecting micro-organism by microscopic and cultural examination is valuable. The X-Ray may disclose pulmonary lesions prior to other evidence of pulmonary consolidation.

ETIOLOGICAL AGENT. Various pathogenic bacteria commonly found in the nose, throat, and mouth such as the pneumococcus, the bacillus of Friedlander, the influenza bacillus, the hemolytic streptococcus, etc.

SOURCE OF INFECTION. Probably discharges from the mouth and nose of infected persons or carriers and articles freshly soiled therewith.

MODE OF TRANSMISSION. By direct contact with infected persons or carriers, or with articles freshly soiled with discharges from the nose and throat of such persons; possibly from infected dust of rooms occupied by infected persons.

INCUBATION PERIOD. Not well determined but probably 1 to 3 days.

PERIOD OF COMMUNICABILITY. Unknown; presumably until discharges from mouth and nose no longer carry infectious agent in abundant or virulent form.

Recommendations:

SPECIFIC INFECTING ORGANISMS should be determined by Neufeld rapid typing method early in the course of the disease as a basis for adequate specific serum therapy.

In institutions and camps crowding in living and sleeping quarters should be avoided.

Regulations:**Poliomyelitis**

PLACARD. Yes.

ISOLATION for 2 weeks from febrile onset.

QUARANTINE of exposed children of the household and of adults of household whose vocation brings them into contact with children, or who are food handlers, for 14 days from last exposure to a recognized case. (See Special Food Handlers Regulation, page 4.)

CONCURRENT DISINFECTION of nose and throat discharges and articles freshly soiled therewith.

TERMINAL DISINFECTION. Cleaning.

Information:

RECOGNITION OF THE DISEASE. An acute infection with moderate initial fever, usually headache and gastro-intestinal symptoms such as vomiting and constipation, drowsiness alternating with irritability, hyperesthesia, stiffness of neck and spine, usually accompanied by an increase in pressure and in the number of cells in the spinal fluid, tremor, and exaggeration of the muscular reflexes. Later, local diminution of reflexes and local motor weakness (paralytic). Any of these symptoms may be absent, but the diagnosis of the cases which are not at some time paralytic is so frequently uncertain that only paralytic cases should be counted officially as poliomyelitis, due precautions being taken in the others. Paralysis may be sudden and cause death within a few hours of onset by cessation of respiration without clear-cut symptoms. There is a marked tendency for the paralysis to improve after it has reached its height.

ETIOLOGICAL AGENT. A specific filterable virus.

SOURCE OF INFECTION. Unknown. Probable sources: droplet infection, or bowel discharges and urine of infected individuals. Healthy carriers are thought to be common.

MODE OF TRANSMISSION. Unknown. Presumably from an active recognized case, abortive unrecognized case or a healthy carrier, or insect vector, contaminated water, milk or food.

INCUBATION PERIOD. Commonly 7 to 14 days.

PERIOD OF COMMUNICABILITY. Not definitely known, but apparently covered by the latter part of the incubation period and the first week or two of the disease—possibly much longer in a very few cases, but cases as a rule are not directly traceable to any previous case.

IMMUNIZATION. None.

Recommendations:

General measures during epidemics:

General warning to physicians and laity of the prevalence or increase of incidence of the disease, description of usual characteristics of onset, and necessity for diagnosis and medical care, particularly for bed rest of patients and protection of their muscles.

All children with fever should be isolated pending diagnosis.

Education in technique of bedside nursing to prevent distribution of infected discharges to others from cases isolated at home.

Avoidance of unnecessary physical strain in children during an epidemic.

Psittacosis**Regulations:**

PLACARD. None.

ISOLATION during the febrile and acute clinical stage of the disease.

When handling patients nurses should wear gauze masks.

QUARANTINE. Buildings which housed birds should be quarantined until thoroughly cleaned and disinfected.

CONCURRENT DISINFECTION of all discharges and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning of premises where patient resided. Incriminated birds should be killed and carcasses burned.

IMPORTATION OF PARROTS, PARAKEETS, AND OTHER BIRDS OF THE PSITTACINE FAMILY.

No person, firm, or corporation shall import into Colorado, and no common carrier shall accept for shipment into Colorado, any parrot, parakeet, love bird, macaw, cockatoo, lory, lorikeet, or any other bird of the parrot or psittacine family, unless an accompanying certificate has been obtained from the state health authority of the state from which shipment is made, to the effect that to the best of their knowledge and belief, such bird as may be offered for shipment has originated from an aviary or other distributing establishment free from psittacosis infection, as determined by inspection of birds and the environment in which they have been reared and housed, the history of such establishment as regards psittacosis infection, supplemented by such laboratory examination of birds, selected by a representative of the certifying authority, as may be deemed necessary to enable the certifying authority to determine that the birds offered for shipment are free from psittacosis infection; provided, that no bird of the species above mentioned that is under eight months of age or that has been under observation for less than six months shall be offered or accepted for importation into Colorado.

Certificates accompanying shipment of psittacine birds into Colorado, as provided in the above in accordance with the United States

Public Health Service Interstate Quarantine Regulations, shall be surrendered by the common carriers to the health authorities at the destination of the shipment, and a copy of such certificate forwarded to the Colorado State Division of Public Health at Denver. Passed by the Colorado State Board of Health, March 3, 1942, to become effective March 16, 1942.

Information:

RECOGNITION OF THE DISEASE. The clinical criteria are an onset with chilly sensations, fever, headache; early pneumonic involvement; cough absent or usually nonproductive at first, later usually present and productive; sputum light yellow and characterized by extreme viscosity; tongue, white coat; anorexia extreme; constipation the rule; pulse usually slow in relation to temperature; great prostration; delirium common; albuminuria almost constant; relapses not uncommon. The white blood count is normal or slightly increased early, with leucopenia later. The disease may be transmitted to healthy susceptible birds or mice by inoculating blood drawn during first week of illness; the diagnostic criteria are the characteristic pathological changes in mice with the presence of elementary bodies (Leventhal-Coles-Lillie) in impression smears from the spleens of mice; the sputum, if obtainable, is more uniformly infectious than the blood; repeated trials are necessary. Blood serum of recovered cases contains complement-fixing antibodies.

ETIOLOGICAL AGENT. A specific filterable virus.

SOURCE OF INFECTION. Infected parrots, parakeets, lovebirds or canaries. Apparently healthy birds may occasionally transmit the infection.

MODE OF TRANSMISSION. Contact with infected birds or their recent surroundings. Occasionally through a human case.

INCUBATION PERIOD. In human cases 6 to 15 days.

IMMUNIZATION. None.

Recommendations:

Education of the community of the danger of making house pets of birds of parrot family, particularly when birds have been recently imported.

Regulations:

Puerperal Infection

PLACARD. None.

ISOLATION of patient during clinical course.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges, especially in hospitals and maternity homes.

TERMINAL DISINFECTION. Thorough cleaning, especially in hospitals and maternity homes.

Information:

RECOGNITION OF THE DISEASE. Rise of temperature and local and general symptoms of bacterial invasion of the genital tract of the postpartum patient. Bacteriological examination of discharges and surfaces of the vagino-uterine tract may identify the infecting organism. Blood culture is advisable to identify the organism definitely when invasion of the blood stream has occurred, because of the availability of chemotherapy against certain bacteria.

ETIOLOGICAL AGENT. Usually a hemolytic streptococcus.

INCUBATION PERIOD. Usually 1 to 3 days.

PERIOD OF COMMUNICABILITY. Not communicable among parturient or postpartum cases except through intermediate transmission of infection by attendants.

IMMUNIZATION. None.

Recommendations:

Education of women about hazards of self interruption of pregnancy. Superlative antiseptic technic on the part of physicians, nurses and midwives when engaged in obstetrical practice.

Rabies**Regulations:**

PLACARD. None.

ISOLATION. None if patient is under adequate medical supervision and immediate attendants are warned of possibility of inoculation by human virus.

QUARANTINE. None.

CONCURRENT DISINFECTION of saliva of the patient and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning.

ANIMALS SUSPECTED OF HAVING RABIES should Not Be Killed, but should be kept under observation, if possible in the care of a veterinarian. If the animal shows no symptoms for a week after the bite, danger of rabies may be excluded. (Symptoms: restlessness, unwillingness to play, loss of appetite, photophobia, and consequent crawling away in a dark corner.) If a dog has rabies it will die in fourteen days. If the Dog Does Not Die in Fourteen Days It Does Not Have Rabies, and there should be no fear of rabies concerning persons who have been bitten.

If the animal dies the head should be cut off immediately, packed in a can or pail with plenty of cracked ice and newspapers or sawdust, and sent or brought to the Laboratory of the Colorado State Division of Public Health, 430 State Office Building, Denver, Colorado.

Information:

RECOGNITION OF THE DISEASE. In the human being this acute, specific, rapidly fatal infection may not be recognized until a spasm of deglutition appears, unless the earlier and mild constitutional symptoms such as an expression of anxiety, paresthesias especially in or near the wound, and some paralysis have been looked for after the bite of a rabid animal. In the dog or other animal, recognizable symptoms are any unexplained change in behavior followed by excitability or paralysis, and death within 10 days of onset of symptoms. Verification of cause of death may be established by discovery of Negri bodies in nerve cells of brain or cord, or by animal inoculation.

ETIOLOGICAL AGENT. A specific filterable virus.

SOURCE OF INFECTION. Saliva of infected animals, chiefly dogs.

MODE OF TRANSMISSION. Inoculation of denuded tissue with saliva of infected animals, almost always by bites.

INCUBATION PERIOD. Usually 2 to 6 weeks. May be prolonged to 6 months or longer. Duration depends on virulence of saliva and on site of wound in relation to richness of nerve supply and directness of nerve path to brain.

PERIOD OF COMMUNICABILITY. For 15 days in the dog before onset of clinical symptoms and throughout clinical course of the disease. Only slightly communicable in man.

IMMUNIZATION. Preventive inoculation after exposure to infection.

Recommendations:

Immediate antirabic treatment of people bitten by dogs or by other animals suspected or known to have rabies, unless the animal is proved not to be rabid by subsequent observation or by microscopic examination of the brain and cord.

The wound caused by any bite of a rabid animal should be treated at once to the depths with fuming nitric acid, with complete protection of the eye in case of face bites.

Search for rabid animal and for animals bitten by it.

Rocky Mountain Spotted Fever

PLACARD. None.

ISOLATION. None.

QUARANTINE. None.

CONCURRENT DISINFECTION. All ticks on the patient should be destroyed.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. Sudden onset with fever, headache, photophobia, muscle and joint pains, and chills. Appearance of the characteristic maculo-papular rash, usually first on

the extremities (third or fourth day of fever) and rapidly spreading to involve most of the body. History of either a tick bite or exposure to ticks. A week of illness is a valuable confirmatory aid, though the reaction is not positive in all cases.

ETIOLOGICAL AGENT. *Rickettsia, rickettsi*. A gram-negative, intracellular micro-organism which has not been cultivated or filtered (*Dermacentroxenus rickettsi* Wolbach).

SOURCE OF INFECTION. Ticks.

MODE OF TRANSMISSION. Bite of infected tick or mashing infected tick on skin.

INCUBATION PERIOD. From 3 to about 10 days.

PERIOD OF COMMUNICABILITY. Not communicable from man.

IMMUNIZATION. By Spencer-Parker vaccine.

Recommendations:

Personal prophylaxis of persons entering infected tick zones during tick season by wearing tick-proof clothing, and careful search of body for ticks which may have attached themselves.

Destruction of ticks by clearing and burning vegetation on lands in infected zones.

Destruction of ticks on domestic animals by dipping.

Destruction of small mammalian hosts of ticks, such as ground squirrels, chipmunks and meadow mice.

Scabies (The Itch)

Regulations:

PLACARD. None.

ISOLATION. Children should be excluded from school until disinfected. Persons shall be denied common recreation and bathing facilities while infected.

QUARANTINE. None.

CONCURRENT DISINFECTION. Care of body clothing and bedding until free from infestation.

TERMINAL DISINFESTATION. Underclothing and bed covering to be treated by dry heat or washing to destroy the mite and eggs.

Information:

RECOGNITION OF THE DISEASE. Observation of the characteristic burrows of the itch mite. Its identification under a lens, or of the eggs scraped from the burrows, may be positive in skilled hands.

ETIOLOGICAL AGENT. *Acarus scabiei*, the itch mite.

SOURCE OF INFESTATION. Persons harboring itch mite.

MODE OF TRANSMISSION. Direct contact with infested persons; indirectly by use of underclothing, gloves, bedding, etc., of such persons.

INCUBATION PERIOD. None, as parasite starts to burrow under skin at once.

PERIOD OF COMMUNICABILITY. Until itch mite and eggs are destroyed.

IMMUNIZATION. None.

Scarlet Fever

Regulations:

PLACARD. Yes.

ISOLATION. In home or hospital, maintained in each case until the end of the period of communicability as determined by the attending physician or health officer. If medical inspection is not available, isolation for 21 days from onset for uncomplicated cases.

QUARANTINE. Adults and children over 16 whose occupation does not bring them in contact with children or with the handling of milk or food, may be granted a provisional permit to enter and leave the premises. Children under 16 may be removed to and quarantined in another household where there are no children for a period of 7 days and then released to return to school if no symptoms have developed. All children under 16 who remain in the house with a case must stay in quarantine until placard is removed. (See Special Regulations of food handlers—Reg. No. 3, page 4.)

CONCURRENT DISINFECTION of the discharges and of all articles which have been in contact with a patient.

TERMINAL DISINFECTION. Thorough cleaning.

SALE OF MILK AND FOOD. See Regulation No. 3, page 4.

Information:

RECOGNITION OF THE DISEASE. Sudden onset with nausea, vomiting, fever, and sore throat; rash (bright red spots on subcuticular flush) on second or third day. Cases occur without eruption, when provisional diagnosis may be made on sore throat, fever, vomiting, and history of exposure. The Schultz-Charlton blanching phenomenon may be used when rash has recently appeared: one-tenth to one-half cc. convalescent serum or scarlet fever antitoxin is injected into skin where rash exists, which causes local blanching in 6 to 36 hours if rash is scarletinal; absence of blanching, however, does not rule out scarlet fever.

ETIOLOGICAL AGENT. A hemolytic streptococcus.

SOURCE OF INFECTION. Discharges from nose, throat, ears, abscesses, or wound surfaces of sick or convalescent patients, and articles freshly soiled therewith. Carriers.

MODE OF TRANSMISSION. Directly by contact with an infected person, indirectly by articles freshly soiled with discharges of an infected person, or through contaminated milk or milk products. Not by skin desquamation.

INCUBATION PERIOD. Two to 7 days, usually 3 or 4.

PERIOD OF COMMUNICABILITY. Until 3 weeks from onset of disease without regard to stage or extent of desquamation; but until all abnormal discharges have ceased and all open sores or wounds have healed. Infectious agent is more likely to be transmitted in colder seasons of the year.

IMMUNIZATION. Exposed susceptibles, as determined by the Dick test, may be passively immunized by convalescent scarlet fever serum or scarlet fever antitoxin, under special circumstances. Active immunization with scarlet fever toxin.

Recommendations:

Daily examination of exposed children and of other possibly exposed persons for a week after last exposure. Encourage removal of young susceptible contacts in the family to homes of adult friends for duration of communicable stage in the patient.

Schools should not be closed where daily observation of children by a physician or nurse can be provided.

Pasteurization of milk supply.

Septic Sore Throat

Regulations:

PLACARD. None.

ISOLATION. During clinical course of the disease and convalescence and particularly exclusion of patients or carriers from participating in the production of or handling of milk or milk products. (See Special Regulations No. 3 as regards food handlers.)

QUARANTINE. None except for Special Food Handlers—Reg. No. 3, page 4.

CONCURRENT DISINFECTION. Articles soiled with discharges from the nose and throat of the patient.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. Acute sore throat appearing in epidemic outbreaks, often of a highly virulent character, and accompanied by various general septicemic manifestations. The onset is likely to be abrupt with chill, high temperature, and vomiting.

ETIOLOGICAL AGENT. *Streptococcus* (Hemolytic type).

SOURCE OF INFECTION. The human naso-pharynx, usually the tonsils, any case of acute streptococcus inflammation of these structures being a potential source of infection, including the period of convalescence of such cases. The udder of a cow infected by a milker is a common source of infection. In such udders physical signs of mastitis may be absent. Bovine mastitis of staphylococcus origin may lead to epidemic outbreaks of gastro-

intestinal disturbances in those who drink unpasteurized milk. The bovine type of streptococcus is not a cause of septic sore throat in human beings.

MODE OF TRANSMISSION. Direct or indirect human contact; consumption of raw milk contaminated by a case or carrier or from an infected udder.

INCUBATION PERIOD. One to 3 days.

PERIOD OF COMMUNICABILITY. In man, presumably during continuance of clinical symptoms; in the cow, during continuance of discharge of streptococci in the milk. The carrier stage may follow convalescence and persist for some time.

IMMUNIZATION. None.

Recommendations:

Pasteurization of all milk. The milk of any cow with evidence of mastitis should be excluded from sale or use as a protection in addition to pasteurization.

Regulations: **Smallpox**

PLACARD. Yes.

ISOLATION. During period of communicability, preferably in a hospital. Patient shall be isolated until disappearance of all scabs and crusts.

QUARANTINE of all contacts until three weeks have elapsed from date of last exposure. Contacts may be released to take up residence elsewhere (a) if immunized by a previous attack; (b) when showing immunity reaction after being vaccinated with virus of full potency; (c) if vaccinated within 24 hours after first exposure, when vaccinia reaches height. (See Special Food Handlers Reg. No. 3, page 4.)

CONCURRENT DISINFECTION of all discharges and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning.

FOOD HANDLERS. See Regulation No. 3, page 4.

Information:

RECOGNITION OF THE DISEASE. One to five days of febrile symptoms before the eruption, which is papular for 1 to 4 days, vesicular for 1 to 4 days, and pustular for 2 to 6 days, forming crusts which fall off 10 to 40 days after the first sign of the lesions, and leave pink scars which fade gradually. Unless scanty, the eruption is symmetrical and general, more profuse on prominences, extensor surfaces, and surfaces exposed to irritation, than on protected surfaces, flexures, and depressions. Most abundant and earliest on the face, next on forearms, wrists, and hands, favoring the limbs, especially distally, more than the trunk. More abundant on shoulders and chest than on loins or abdomen,

but the lesions may be so few as to be overlooked. The individual lesions are deep-seated and have an infiltrated base, except when modified naturally or by previous vaccination. Any case of purpura or hemorrhage into the skin with fever should be treated with smallpox precautions until another diagnosis is clear.

ETIOLOGICAL AGENT. A specific filterable virus.

SOURCE OF INFECTION. Lesions of mucous membranes and skin of infected persons.

MODE OF TRANSMISSION. Contact with persons sick with the disease and articles soiled with discharges from lesions. Virus may be present in feces and urine for a brief time.

INCUBATION PERIOD. Eight to 16 days. Occasionally 21 days.

PERIOD OF COMMUNICABILITY. From first symptoms to disappearance of all scabs and crusts.

IMMUNIZATION. Vaccination.

Recommendations:

General vaccination in early infancy, revaccination of children on entering school, and of the entire population when the disease appears in severe form.

Provisions for free vaccinations in time of epidemic.

In order to avoid possible complications or secondary and subsequent infections at the site of vaccination, it is important that the vaccination insertion be as small and superficial as practicable, not over one-eighth inch in any direction, and that the site be kept dry and cool. The use of shields and other dressings is to be condemned. The multiply pressure method is recommended. Primary vaccination as soon after 1 week of age as possible is desirable. The time of vaccination should be adjusted to avoid skin lesions elsewhere on the body, and in older children to avoid warmer months. Particular care should be used in primary vaccinations beyond the age of infancy.

Syphilis

Regulations:

(See further laws and regulations noted under section of Division of Social Hygiene Laws and Regulations.)

PLACARD. None, provided regulations are observed. Violations shall be placarded.

ISOLATION of non-cooperative patients at least until surface lesions have healed. Sexual intercourse shall be warned against and so far as possible prevented until declared to be free from infection by the physician responsible for treatment of the patient.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges and articles soiled therewith.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. A disease acquired by intimate personal contact or by transmission in utero, running a chronic course with local and constitutional manifestations, usually in a definite sequence although of infinite variety. Confirmation of diagnosis is practicable and should be established in every instance by finding the spirochete in the lesions or discharges or by positive serological findings.

ETIOLOGICAL AGENT. *Treponema pallidum* (*Spirochaeta pallida*).

SOURCE OF INFECTION. Discharges from lesions of the skin and mucous membranes, the blood of infected persons, and articles freshly soiled with such discharges or blood in which the *Treponema pallidum* is present.

MODE OF TRANSMISSION. By direct personal contact with infected persons and indirectly by contact with recent discharges from lesions or with the blood of such persons, by sexual intercourse chiefly, by kissing, by dental or other surgical or technical accidents, congenitally from syphilitic mothers through the placenta.

INCUBATION PERIOD. About 3 weeks, minimum 10 days, occasionally 6 weeks.

PERIOD OF COMMUNICABILITY. As long as lesions are open upon the mucous membranes or skin, but practically limited to the first 2 years.

Recommendations:

Each case, particularly those cases of presumably recent origin, as the congenital form in infants, the first- and second-stage cases of the acquired disease, should be traced to the probable source of infection, appropriate control and treatment of this spreader of disease instituted, and further exposed contacts examined for unsuspected or unreported cases.

Provisions for accurate and early diagnosis and careful treatment of infected persons, with due consideration for privacy of record consistent with effective control of the patient, search for source of infection, and provisions for following cases until cured, with special attention to prompt detection of infected persons and their treatment to prevent open lesions during the first 2 years following their initial infection.

Treatment should be started early and should be continuous for from 18 months to 2 years. It is recommended that the "Scheme for Treatment of Early Syphilis," as outlined in the "Standard Treatment Procedure in Early Syphilis," published by the U. S. Public Health Service, be followed. These pamphlets may be obtained from the State Board of Health, Denver, Colorado.

Blood tests as well as clinical examinations for syphilis should be part of the routine prenatal supervision of the expectant mother, and if she is found to be infected, should be begun if possible before the

fifth month of pregnancy. If treatment is started before the fifth month of pregnancy a normal baby can be expected in 90% of the cases.

Routine blood tests on all patients will discover many unsuspected cases.

Education of the public in matters of sexual hygiene.

Repression of commercial prostitution.

Personal prophylaxis should be advised to those who expose themselves to infection.

Tetanus

Regulations:

Report only.

Information:

RECOGNITION OF THE DISEASE. An acute infectious disease caused by the toxin of the tetanus bacillus; characterized by painful muscular contractions, first and principally of the masseter and neck muscles, and secondly those of the trunk; rarely the rigidity is confined to the region of the injury. A history and usually physical evidence of a wound of entry for infection is found. Bacteriological examination and mouse inoculation may be useful in confirmation of diagnosis.

ETIOLOGICAL AGENT. Tetanus bacillus, *Clostridium tetani*.

SOURCE OF INFECTION. Animal manure, human, flies, soil, and street dust.

MODE OF TRANSMISSION. Wound infection.

INCUBATION PERIOD. Commonly 4 days to 3 weeks, dependent somewhat upon the character, extent, and location of the wound. Longer periods of incubation have been noted. Subsequent operative interference or local tissue changes may initiate the activity of quiescent bacilli, at even lengthy intervals after original wound infection.

PERIOD OF COMMUNICABILITY. Patient not infectious, except in rare instances where wound discharges are infectious.

IMMUNIZATION. Ordinarily a subcutaneous injection of tetanus antitoxin (1,500 units) given on the day of the wound. A second injection within 10 days may be desirable in certain instances. Artificial passive immunity for about 10 days' duration can be relied upon. Active immunity by tetanus toxoid.

Recommendations:

Prophylactic use of tetanus antitoxin where wounds have been acquired in regions where tetanus is prevalent, and in all cases where contaminated material may be embedded in the wound.

Removal of all foreign matter as early as possible from all wounds.

Trachoma**Regulations:**

PLACARD. None.

ISOLATION. Exclusion of patient from school classes.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges and articles soiled therewith.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. A specific destructive chronic inflammation of the conjunctiva, characterized by formation of granulations, either papillary or follicular, leading ultimately to formation of scar tissue and deformity of the eyelids. Microscopic examination of the conjunctival discharges and scrapings cannot be relied upon as an aid to diagnosis, but may exclude other infections.

ETIOLOGICAL AGENT. Undetermined.

SOURCE OF INFECTION. Secretions and purulent discharges from the conjunctiva and adnexed mucous membranes of infected persons.

MODE OF TRANSMISSION. By direct contact with infected persons; indirectly by contact with articles freshly soiled therewith.

INCUBATION PERIOD. Undetermined.

PERIOD OF COMMUNICABILITY. During persistence of lesions of the conjunctiva and adnexed mucous membranes or of discharges from such lesions.

IMMUNIZATION. None.

Recommendations:

Search for cases by examination of school children or immigrants, and among families and associates of recognized cases.

Elimination of common towels and toilet articles from public places.

Routine examinations of eyes of children admitted to institutions or camps where the disease is prevalent.

Trichinosis**Regulations:**

PLACARD. None.

ISOLATION. None.

QUARANTINE. None.

CONCURRENT DISINFECTION. Sanitary disposal of the feces of the patient.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. In human beings confined to persons who have eaten raw or insufficiently cooked pork and pork products, or occasionally bear meat, containing viable trichinae. Characterized by onset of variable intensity according to the amount of infected meat eaten and the abundance of trichinae in the meat. Nausea, vomiting, or diarrhea may be present. Muscle soreness or pain, edema of face and eyelids, laryngitis, subcutaneous hemorrhages, cough, pain in the chest, difficulty in swallowing, and labored breathing may occur, even pneumonia or involvement of the central nervous system in some cases. An intermittent fever is usual. Eosinophilia is usually marked. It may occasionally be absent in overwhelming infections and in individuals suffering from concomitant bacterial or virus infections. The symptoms are extremely variable. Intradermal and precipitin tests should be employed as aids in diagnosis. Direct microscopic examination of a biopsied sample of deltoid or gastrocnemius muscle, pressed, or digested in artificial gastric juice, may detect larvae after the 21st day of infection. Occasionally, larvae may be found in the blood or spinal fluid.

ETIOLOGICAL AGENT. *Trichinella spiralis*.

SOURCE OF INFECTION. Uncooked or insufficiently cooked pork or pork products, rarely meat of other animals.

MODE OF TRANSMISSION. Direct from meat to man through consumption of raw or undercooked infected pork or pork products.

INCUBATION PERIOD. Variable; usually about 1 week.

PERIOD OF COMMUNICABILITY. Disease is not transmitted by human host to man.

IMMUNIZATION. None.

Recommendations:

Inspection of slaughtered hogs rarely discovers the disease unless muscles are heavily infected. This should not be relied on.

Thorough cooking of all pork and pork products at a temperature of 160 degrees F. or over.

Refrigeration of pork at 5 degrees F. for 20 days.

Extermination of rats, especially around meat shops, slaughter houses, and pig pens.

Cooking swill and offal which is to be fed to hogs.

Tuberculosis (Pulmonary)**Regulations:**

PLACARD. None.

ISOLATION of such "open" infectious cases that do not observe precautions necessary to prevent spread of the disease.

QUARANTINE. None.

CONCURRENT DISINFECTION of sputum and articles soiled therewith. Particular attention shall be paid to sputum, handkerchiefs, cloths, soiled papers, eating utensils and all other articles soiled by the patient.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE:

- A. Primary or first infection type: Characterized by hilum gland enlargement or discrete parenchymal shadows in chest X ray, usually with positive tuberculin test, sometimes accompanied by vague constitutional symptoms and rarely by erythema nodosum, all of which regress spontaneously except in occasional cases which develop meningitis or other progressive tuberculous disease. Recognition by history of contact and X-ray findings and confirmed by staining, culture, and animal inoculation of stomach washings.
- B. Adult or reinfection type: Characterized by insidious onset with parenchymal pulmonary infiltration, usually in the upper lobes, recognizable by chest X-ray for a variable period of time before constitutional symptoms or physical signs appear. Pleurisy with effusion and unexplained hemoptysis are almost specific first symptoms: cough, fever, fatigue, and weight loss accompany advanced disease, which is recognizable by X-ray and by physical signs of dullness and rales, and confirmed by staining, culture, and animal inoculation of sputum, or of stomach washings where sputum is absent or negative. Tuberculin test usually positive. Failure to find organisms on microscopic examination of sputum does not rule out tuberculosis; repeated examinations of concentrated sputum and of stomach washings by culture and animal inoculation will eventually demonstrate tubercle bacilli in the majority of active cases.

ETIOLOGICAL AGENT. Tubercle bacillus (human) *Mycobacterium tuberculosis (hominis)*. Tubercle bacilli of bovine type have been isolated from pulmonary lesions in man.

SOURCE OF INFECTION. The discharges or articles freshly soiled therewith, from any open tuberculous lesions, the most important discharge being sputum. Of less importance are discharges from intestinal and genito-urinary tracts, or from lesions of lymph-nodes, bone, and skin.

MODE OF TRANSMISSION. Usually through discharges of the respiratory tract, by direct or indirect contact with infected persons, by means of coughing, sneezing, or other droplet infection, by kissing, by contamination due to flies and dust. Infection rarely occurs from casual contact, but usually results from the continued type of exposure characteristic of family relationships.

INCUBATION PERIOD. Variable and dependent on dosage and type of disease.

PERIOD OF COMMUNICABILITY. As long as the specific micro-organism is eliminated by the host. Commences when a lesion becomes an open one, i. e., discharging tubercle bacilli, and continues until it heals. The degree of communicability varies with the number and virulence of the bacilli discharged, the frequency of exposure, and susceptibility of person exposed.

IMMUNIZATION. None.

Recommendations:

Investigation of source of infection. In spite of the length and uncertainty of the incubation period and the numerous possible sources of infection, a systematic effort should be made to discover the probable source in each case and to identify other cases of the same origin, by appropriate tuberculin tests of family and other contacts and X-rays of positive reactors.

Education of the public in regard to the danger of tuberculosis, the mode of spread and methods of control, with especial stress upon the danger of exposure and infection in early childhood.

Provision of clinics and Public Health nursing service for follow-up of early cases and supervision of homes.

Provision of adequate sanatorium facilities for isolation and treatment of active cases. Two beds per annual tuberculosis death in the community is an adequate ratio.

Improvement of housing conditions and nutrition of the poor.

Elimination of silica dust in certain industries.

Improvement of habits of personal hygiene and better living conditions among the underprivileged.

Separation of babies from tuberculous mothers at birth.

Pasteurization of milk supplies.

Eradication of tuberculosis in cattle.

Tuberculosis (Other than Pulmonary)

Regulations:

PLACARD. None.

ISOLATION. None.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges and articles freshly soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. By local manifestations, by constitutional reactions, by specific reactions, and by identification of the tubercle bacillus in the lesions or their discharges through microscopic examination, culture, or animal inoculation.

ETIOLOGICAL AGENT. Tubercle bacillus (Human and bovine).

SOURCE OF INFECTION. Discharges from mouth, nose, bowels and genito-urinary tract of infected human beings; the discharging lesions of bones, joints, and lymph glands; articles freshly soiled with such discharges, milk from tuberculous cattle.

MODE OF TRANSMISSION. Direct contact with infected persons, contaminated food, and possibly by articles freshly soiled with discharges of infected persons.

INCUBATION PERIOD. Unknown.

PERIOD OF COMMUNICABILITY. Until discharging lesions are healed.

IMMUNIZATION. None.

Recommendations:

Search for source of infection.

Pasteurization of milk and inspection of meats.

Eradication of tuberculosis in dairy cattle.

Patients with open lesions should be prohibited from handling foods

Tularemia

Regulations:

PLACARD. None.

ISOLATION. None.

QUARANTINE. None.

CONCURRENT DISINFECTION of discharges from the ulcer, lymph glands, or conjunctival sac.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. Whether the disease is acquired by the bite of the blood-sucking horse fly or the wood tick or from an infected abrasion or skin trauma or infected conjunctiva, or by ingestion of insufficiently cooked meat of infected rabbits, the onset is sudden, with pains and fever, and the patient is usually prostrated and confined to bed. If the disease follows a bite or a conjunctival infection or an infection through the skin, the lymph glands draining the area become swollen and tender and suppurate in about half the cases. The fever is of 3 to 4 weeks' duration, and the convalescence slow. The clinical diagnosis may be confirmed by animal inoculation, isolation of cultures, and agglutination reactions. Less reliable is the skin reaction.

ETIOLOGICAL AGENT. *Bacterium tularense* (*Pasteurella Tularensis*).

SOURCE OF INFECTION. Wild rabbits and hares, deer fly, wood tick (*Dermacentor andersoni* and *Dermacentor variabilis*), woodchuck, coyote, muskrat, opossum, tree squirrel, quail, skunk, water-rat of Europe, cat, deer, dog, fox, hog, sage hen, and bull snake.

MODE OF TRANSMISSION. By bites of infected flies and infected animals, skinning, dressing or performing necropsies, or by fluids from infected flies, ticks, rabbits, etc. Ingestion of insufficiently cooked rabbit meat. Crushing infected insects between fingers. Rarely from bites of infected cats, dogs, coyotes, etc., where the meat of the animal is contaminated from eating infected rabbits.

PERIOD OF INCUBATION. From 24 hours to 10 days.

PERIOD OF COMMUNICABILITY. There is no authentic record of transfer of the disease from man to man.

IMMUNIZATION. None.

Recommendations:

Avoidance of the bites of, or handling of, flies and ticks when working in infected zones during seasonal incidence of blood-sucking flies and ticks.

Use of rubber gloves by persons engaged in dressing wild rabbits or when performing necropsies on infected laboratory animals. Avoid injuries due to jagged bones.

Thorough cooking of meat of wild rabbits.

Typhoid Fever Group

Regulations:

PLACARD. Yes.

ISOLATION. In fly-proof room, preferably under hospital conditions of such cases as cannot command adequate sanitary environment and nursing care in the home. Release from isolation should be determined by three successive negative cultures of stool and urine specimens not less than 24 hours apart.

QUARANTINE. None except for Special Food Handlers—Reg. No. 3, page 4.

CONCURRENT DISINFECTION of all bowel and urinary discharges and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning.

HANDLERS OF FOODS OR FOOD PRODUCTS. See Regulation No. 3, page 4.

Information:

RECOGNITION OF THE DISEASE. A general infection with the typhoid bacillus, characterized by a continued fever, and by involvement of the lymphoid tissues especially with enlargement and often ulceration of Peyer's patches, enlargement of the spleen, usually rose spots on the trunk, diarrheal disturbance, and a variety of severe constitutional disturbances accompanying parenchymatous involvement of various viscera. The infecting microorganism can be found in the blood, the feces, and the urine.

ETIOLOGICAL AGENT. Typhoid Fever; Typhoid bacillus (*Eberthella typhi*. Para-typhoid Fever; bacillus paratyphosus A, B and C; *Salmonella para-typhi*; *Salmonella schottmulleri*).

SOURCE OF INFECTION. Bowel discharges and urine of infected individuals. Healthy carriers are common.

MODE OF TRANSMISSION. Conveyance of the specific micro-organisms by direct or indirect contact with a source of infection. Among indirect means are contaminated water, milk, food and possibly flies. Contaminated hands probably play the greatest role in conveying the germ to foods, milk, etc.

INCUBATION PERIOD. Three to 38 days, usually 7 to 14 days.

PERIOD OF COMMUNICABILITY. From the appearance of prodromal symptoms, throughout the illness and relapses during convalescence, and until repeated bacteriological examinations of the discharges show continuous absence of the infecting organisms.

IMMUNIZATION of susceptibles in the family or household of the patient who have been exposed or who may be exposed during the course of the disease.

Recommendations:

Careful epidemiological search for the cause of all cases.

Protection and purification of public water supplies.

Pasteurization of public milk supplies.

Sanitary disposal of human excreta.

Supervision of food supplies and food handlers.

Prevention of fly breeding.

Extension of immunization by vaccination to persons subject to unusual exposure by reason of occupation or travel, to those living in areas of high endemic incidence of typhoid fever and to military forces, camps, and institutional populations.

Exclusion of suspected milk supplies on epidemiological evidence pending discovery and elimination of the cause of contamination of the milk.

Exclusion of suspected water supply, until adequate protection or purification is provided unless all water used for toilet, cooking and drinking is boiled before use.

Education of the general public and particularly of food handlers, concerning sources of infection, and modes of transmission of the disease.

Typhoid Carriers

Regulations:

DEFINITIONS. An Incubatory Typhoid Carrier is one who excretes typhoid organisms previous to the onset of typhoid fever.

A Contact Typhoid Carrier is one who excretes typhoid organisms without having clinically recognizable typhoid fever and whose

history indicates that exposure occurred less than one year previous to the date of discovery.

A **Convalescent Typhoid Carrier** is one who excretes typhoid organisms during the period from the date of becoming afebrile to one year from the date of onset.

A **Chronic Typhoid Carrier** is one who continues to excrete typhoid organisms for more than one year after the onset of typhoid fever or for more than one year after a non-clinical infection.

CHANGE OF ADDRESS. A typhoid carrier shall not make a change of residence without notifying the Colorado State Board of Health and the local health officer at least five days previous to making such change. No visit shall be made to another state or county unless the Colorado State Board of Health has been notified as to the itinerary and destination.

SUBMISSION OF SPECIMENS. Typhoid carriers and carrier suspects shall submit for examination such specimens as may be required by the Colorado State Board of Health.

AUTHENTICITY AND ACCEPTABILITY OF SPECIMENS. The Colorado State Board of Health may take such steps as may be necessary to assure themselves of the authenticity of specimens.

CARRIER RELEASE. A chronic typhoid carrier shall be unconditionally released one year following a date fixed by the Colorado State Board of Health if twelve consecutive fecal specimens submitted at approximately monthly intervals and two consecutive bile specimens are negative.

A typhoid carrier may submit specimens at any time for the purpose of obtaining unconditional release.

Upon fulfilling the requirements, the former carrier shall receive a statement of his unconditional release from the Colorado State Board of Health.

Two months following cholecystectomy a typhoid carrier may be permitted to handle food for public consumption, provided six consecutive fecal specimens obtained at intervals of not less than 24 hours and one bile specimen are negative, and provided that the typhoid carrier continues to submit specimens to obtain final release.

OCCUPATIONAL RESTRICTIONS. Typhoid carriers shall not handle for public consumption milk, cream, cheese, ice cream and other dairy products, or fruits and vegetables unless such fruits and vegetables are commonly cooked before being eaten.

No typhoid carrier shall reside on premises where milk or milk products are being handled for public consumption unless such milk or milk products are delivered to a condensary or evaporating plant under circumstances satisfactory to the condensary or evaporating plant and to the Colorado State Board of Health.

No typhoid carrier shall work in any capacity in a restaurant or other establishment in which food is sold unless in the opinion of the Colorado State Board of Health the possibility of infecting others is remote.

EXCRETA DISPOSAL. The excreta of a typhoid carrier shall be disposed of in a manner satisfactory to the Colorado State Board of Health.

CARE OF CLOTHING. No typhoid carrier shall send personal clothing or bed linen to a public laundry unless such is first disinfected in a manner satisfactory to the Colorado State Board of Health.

COOPERATION BETWEEN CARRIER AND LOCAL AND STATE HEALTH OFFICIALS. The premises of any typhoid carrier, or of any person suspected of being a typhoid carrier, may be placarded if such person refuses to comply with the rules and regulations of the Colorado State Board of Health.

DISPOSITION OF SUSPECTED CARRIERS. In addition to those persons reported as typhoid suspects, the Colorado State Board of Health shall, in the absence of more definite information, consider as a case or carrier suspect any person from whom a positive Widal, blood, feces, urine, bile, saliva, pus or transudate has been obtained. Disposition of such cases shall be made as follows:

POSITIVE WIDAL. A statement shall be obtained from the attending physician or local health officer that the suspect has typhoid fever, may have typhoid fever, or definitely does not have typhoid fever. If the attending physician is unwilling to make a definite diagnosis, it shall be the duty of the local health officer or a representative of the Colorado State Board of Health to determine the most probable diagnosis based upon clinical, epidemiologic, and bacteriological evidence.

POSITIVE BLOOD CULTURE. A positive blood culture shall be considered prima facie evidence that the suspect has typhoid fever.

POSITIVE FECES, URINE, OR BILE. A positive feces, urine, or bile shall be considered prima facie evidence that the suspect is a case or a carrier. In the absence of a case report, the Colorado State Board of Health and the local health officer shall require such specimens as will determine the status of the person.

ISOLATION AND RELEASE OF CASES AND CONVALESCENT CARRIERS. Cases not professional food handlers shall be isolated until afebrile for 48 hours and thereafter until three consecutive fecal specimens obtained from bowel movements not less than 24 hours apart have been found negative in an approved laboratory; or until one satisfactory bile specimen has been found negative in an approved laboratory.

The local health officer shall report the date of the case becoming afebrile to the Colorado State Board of Health.

If more than three months have elapsed since the date of onset, a case or convalescent carrier may be released if one satisfactory bile specimen is negative or if consecutive fecal specimens are negative in the ratio of one for each month elapsed since the date of onset.

Professional food handlers shall be released as above except that four consecutive negative feces specimens shall be considered minimal for release.

Hospitalized cases may be released in the same manner as cases and convalescent carriers isolated at home. Hospitalized cases may be discharged to continue isolation at home, provided hospital authorities notify the local health officer and the Colorado State Board of Health previous to discharge and furnish bacteriologic reports up to the time of discharge.

Convalescent carriers who remain positive two weeks after becoming ambulatory may be conditionally released to live under the restrictions for chronic typhoid carriers, provided consent is obtained from the local health officer or from the Colorado State Board of Health.

Typhus Fever

Regulations:

PLACARD. Yes.

ISOLATION. In a vermin-free room.

QUARANTINE. In the presence of lice, exposed susceptibles shall be quarantined for 14 days after last exposure.

CONCURRENT DISINFECTION. Destroy all lice and louse eggs on the clothing or in the hair of the patient.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. Whether in the classical and severe epidemic form of the louse-transmitted disease or in the mild flea-borne and sporadic type, the onset is variable, often being sudden and marked by headache, chills, fever, and general pains, and a macular eruption on the fifth or sixth day, toxemia, and a quite definite course terminating in rapid lysis after about two weeks of fever. A positive Weil-Felix reaction is valuable as confirmation of the diagnosis.

ETIOLOGICAL AGENT. *Rickettsia prowazekii*.

SOURCE OF INFECTION. The blood of infected persons or infected rats.

MODE OF TRANSMISSION. The infectious agent is transmitted from man to man by lice (*Pediculus corporis*) and from rat to rat or man by fleas (*Xenopsylla cheopis*).

INCUBATION PERIOD. From 5 to 20 days. Most often 12 days.

PERIOD OF COMMUNICABILITY. In the presence of lice, highly communicable until 36 hours have elapsed after the temperature reaches normal.

IMMUNIZATION. Methods not yet available for general application.

Recommendations:

Elimination of rats.

Delousing of persons, clothing and premises.

Undulant Fever (Brucellosis)

Regulations:

PLACARD. None.

ISOLATION. None.

QUARANTINE. None.

CONCURRENT DISINFECTION. Unnecessary in presence of ordinary sanitary precautions.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. A general infection with gradual or insidious onset and characterized by irregular fever of uncertain but often prolonged duration, profuse sweating, chills (or chilliness), pain in joints and muscles. Agglutination test and identification of the infecting micro-organism in the blood, tissues, or discharges of the patient are valuable aids in diagnosis. A mild, obscure form of the disease, diagnosed only with difficulty, may last for years.

ETIOLOGICAL AGENT. *Brucella melitensis*, *Brucella abortus*, *Brucella suis*.

SOURCE OF INFECTION. The tissues, blood, milk and urine of infected animals, especially goats, cattle and swine.

MODE OF TRANSMISSION. Drinking milk from infected animals and by direct contact with infected animals or animal products.

INCUBATION PERIOD. Six to 30 days or more.

PERIOD OF COMMUNICABILITY. Practically not communicable from person to person.

IMMUNIZATION. None.

Recommendations:

Pasteurization of milk whether from goats or cows.

Search for infection among livestock by agglutination reaction and elimination of infected animals from the herd by segregation or slaughter.

Regulations: **Vincent's Infection (Angina, Stomatitis)**

PLACARD. None.

ISOLATION. Exclusion from school or common eating facilities unless under active treatment.

QUARANTINE. None.

CONCURRENT DISINFECTION of all discharges from mouth and nose.

TERMINAL DISINFECTION. None.

Information:

RECOGNITION OF THE DISEASE. Lesions occurring on either the tonsils or pharynx (angina), or the oral mucosa (stomatitis) are characterized by necrosis, pseudomembranous formation, salivation, and a fetid odor. In Angina and the more acute forms of stomatitis there is marked pain on swallowing, enlarged tender cervical nodes, and slight fever. Acute type of Vincents infection is characterized by a rapid onset. The affected gums become acutely inflamed, the interdental papillae edematous with a soft, slick appearance, bleeding easily and exquisitely painful. Necrosis of the interdental papillae occurs with subsequent development of characteristic grayish-white pseudomembrane which is easily removed, leaving a raw, profusely bleeding surface. Ulcerations may coalesce and progress to adjoining alveolar, palatal, and buccal mucosa, spread toward the buccal sulcus being the more common. A distinctive mixed bacterial flora including spirochetes, fusiform bacilli, and other organisms characterize this group of diseases. Differential diagnosis should exclude: suppurative periodontitis, diphtheria, mucous patches of syphilis, agranulocytic angina, scurvy, and sprue.

ETIOLOGICAL AGENT. *Bacillus Fusiformis*.

SOURCE OF INFECTION. Discharges from lesions of infected persons or carriers.

MODE OF TRANSMISSION. Direct contact with infected persons or carriers and probably by articles freshly soiled therewith.

INCUBATION PERIOD. Variable and undetermined.

PERIOD OF COMMUNICABILITY. As long as the infecting organism is found in the mouth.

IMMUNIZATION. None.

Recommendations:

Encouragement of oral hygiene; correction of abnormal or diseased conditions of teeth.

Facilities for preventive oral treatment of children.

Sterilization of eating and drinking utensils, especially in public places.

Whooping Cough**Regulations:**

PLACARD. None.

ISOLATION. Separation of the patient from susceptible children and exclusion from school and public places for three weeks from the beginning of spasmodic cough or longer if deemed necessary by the health officer.

QUARANTINE. Limited to exclusion of non-immune children from school and public gatherings for 10 days from the date of last exposure. Immune children may be released by the health officer to attend school. No limitation of adults.

CONCURRENT DISINFECTION of discharges of nose and throat of the patient and articles soiled therewith.

TERMINAL DISINFECTION. Thorough cleaning.

Information:

RECOGNITION OF THE DISEASE. An acute infection involving the trachea and bronchi and characterized by a typical cough usually lasting from 1 to 2 months. The initial catarrh usually has an insidious onset manifested by an irritating cough. The cough gradually becomes paroxysmal, usually within 1 to 2 weeks. The paroxysms are characterized by a repeated series of violent coughs, each series consisting of many coughs without intervening inhalation and often followed by the characteristic sonorous, inspiratory whoop. Paroxysms frequently end with vomiting of clear, tenacious mucus. The etiological agent has been recovered by use of special culture plates exposed before the patient's mouth during a cough in the catarrhal and early paroxysmal stage of the disease. A definite lymphocytosis is usually present.

ETIOLOGICAL AGENT. *Hemophilus pertussis*.

SOURCE OF INFECTION. Discharges from the laryngeal and bronchial mucous membranes of infected persons.

MODE OF TRANSMISSION. Contact with an infected person or with articles freshly soiled therewith.

INCUBATION PERIOD. Seven to 10 days and not exceeding 16 days.

PERIOD OF COMMUNICABILITY. Particularly communicable in the early catarrhal stage before the characteristic whoop makes a clinical diagnosis possible. The catarrhal stage occupies from 7 to 14 days. After the characteristic whoop has appeared, the communicable period continues certainly for three weeks. Even if the spasmodic cough with whoop persists longer than this it is most unlikely that the infecting organism can be isolated from the discharges. The communicable stage must be considered to extend from 7 days after exposure to 3 weeks after the development of the characteristic whoop.

IMMUNIZATION. Use of prophylactic vaccination is recommended by some observers, but is still considered to be of doubtful value.

Recommendations:

Education as to the dangerous nature of this disease, especially in the younger age groups under 3 years of age.

Yellow Fever**Regulations:**

PLACARD. Yes.

ISOLATION from mosquitoes in a thoroughly screened room. Isolation necessary only for first 4 days of the fever.

QUARANTINE. None.

CONCURRENT DISINFECTION. Destruction of mosquitoes.

TERMINAL DISINFECTION. None except destruction of mosquitoes by gaseous fumigation.

Information:

RECOGNITION OF THE DISEASE. Clinical diagnosis usually rests upon sudden onset, fever, prostration, slow pulse in relation to body temperature, severe headache and backache, congestion of mucous membranes, bleeding gums, black vomit in severe cases, and late jaundice, with brief duration of illness. Pronounced albuminuria and leukopenia are characteristic. A history of possible bites of infected mosquitoes is corroborative but absence of such or even failure to find *Aedes aegypti* mosquitoes in the vicinity does not necessarily exclude the diagnosis. Almost symptomless and certainly unrecognizable cases of this infection occur among Negro races in Africa, and among very young children in tropical America.

ETIOLOGICAL AGENT. A specific filterable virus.

SOURCE OF INFECTION. Blood of infected persons.

MODE OF TRANSMISSION. Bite of *Aedes Egypti* mosquitoes.

INCUBATION PERIOD. Three to 6 days.

PERIOD OF COMMUNICABILITY. First 3 days of fever.

IMMUNIZATION. Modified living virus and human immune serum.

Recommendations:

Mosquito eradication.

COLORADO
STATE DIVISION OF PUBLIC HEALTH



TUBERCULOSIS CONTROL

LAWS, RULES AND REGULATIONS
(Revised 1942)

Issued by the
COLORADO STATE BOARD OF HEALTH
424 State Office Building
DENVER

TUBERCULOSIS CONTROL

LAWs

(Laws Pertaining to Tuberculosis, from Chapter 78, Health—Colorado Statutes Annotated, 1935)

Section

- 42. Warrant to remove contagious disease.
- 171. Tuberculosis reported to health officer.
- 172. Report blanks—Diagnosis—Open cases.
- 173. Examination of sputum.
- 174. Register of reports and examinations.
- 175. Disinfection of apartments vacated by tubercular.
- 176. Same—Expense.
- 177. Failure to disinfect—Premises placarded.
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- 179. Physician to provide for safety of other inmates.
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- 181. Failure to report—False statement—Penalty.
- 182. Report of recovery of patient.
- 183. Violation of subdivision—Penalty.
- 184. Jurisdiction—Justice of the peace and police magistrate.

TUBERCULOSIS.

Sec. 42. Warrant to remove contagious disease. Any justice of the peace may make out a warrant under his hand, directed to any sheriff or any constable of the county in and for which he is justice of the peace requiring him, under the direction of the board of health, to remove any person infected with contagious sickness, or take possession of convenient houses and lodging and provide nurses, attendants and other necessities for the accommodation, safety and relief of the sick. (L. '93, p. 381, sec. 17; R. S. '08, sec. 5046; C. L., sec. 907.)

Sec. 171. Tuberculosis reported to health officer. For the purposes of this subdivision, tuberculosis is hereby declared to be an infectious and communicable disease. Every attending physician or person practicing as a physician in the State of Colorado shall report in writing on a form to be furnished as hereinafter provided, the name, nativity, age, sex, color, occupation, place where last employed, if known, and address of every person known by said physician or person practicing as a physician to have tuberculosis, to the health officer of the county, town, village or city in which said person resides, within twenty-four hours after such fact comes to the knowledge of said physician or person practicing as a physi-

cian. The chief officer having charge for the time being of any hospital, dispensary, asylum or other similar private or public institution in said State of Colorado shall report in like manner the name, nativity, age, sex, color, occupation, place where last employed, if known, and previous address of every patient having tuberculosis who comes into his care or under his observation, within twenty-four hours thereafter. The chief officer in charge of a regular incorporated sanatorium or other institution solely for the care of persons having tuberculosis shall make the report required in this section. (L. '13, p. 457, sec. 1; C. L., sec. 1084.)

Sec. 172. Report blanks—Diagnosis—Open cases. Such report shall be upon a blank form to be furnished by the State Board of Health, and such blank in addition to the name, color, age, sex, nativity, occupation, place where last employed and present address, as stated above, shall give also the evidence upon which the diagnosis of tuberculosis has been made, the part of the body affected and the stage of the disease. All cases in which the sputum, urine, feces, pus, or any other bodily discharge, secretion or excretion shall contain the tubercle bacillus shall be regarded as open cases of tuberculosis, and the rules given herein providing for disinfection of premises occupied by cases of tuberculosis shall apply only to such open cases. (L. '13, p. 458, sec. 2; C. L., sec. 1085.)

Sec. 173. Examination of sputum. Any health officer of a county, town, village or city, when so requested by any physician or person practicing as a physician, or by authorities of any hospital or dispensary, shall make or cause to be made a microscopical examination of the sputum or other bodily excretion or discharge forwarded to him as that of a person having symptoms of tuberculosis, which shall be forwarded to such officer in a package supplied by the State Board of Health, accompanied by a blank giving name, nativity, age, sex, color, occupation, place where last employed, if known, and address of the person whose sputum it is. Said health officer shall promptly make a report of the result of such examination free of charge to the physician or person upon whose application the same is made. Provided, that the examination provided for in this section shall be by the State Board of Health. (L. '13, p. 458, sec. 3; C. L., sec. 1086.)

Sec. 174. Register of reports and examinations. Every health officer of a county, town, village, or city shall cause all reports made in accordance with the provisions of Section 171 of this chapter, and also all results of examinations showing the presence of the bacilli of tuberculosis made in accordance with the provisions of the last preceding section, to be recorded in a register to be furnished by the State Board of Health, of which he shall be the custodian, and a copy of which he shall transmit quarterly to the State Board of Health. Such register shall not be open to inspection by any person other than the health authorities of the state and of the said county, town, village or city, and said health authorities shall not permit any such report or record to be divulged so as to disclose the identity of the person to whom it relates, except as may be necessary to carry into effect the provisions of this subdivision. All blanks, vouchers,

registers, and receptacles by this subdivision required, shall be furnished by the State Board of Health. (L. '13, p. 458, sec. 4; C. L., sec. 1087.)

Sec. 175. Disinfection of apartments vacated by tubercular. In case of the vacating of any apartment or premises by the death or removal therefrom of a person having open tuberculosis, the attending physician, or, if there be no such physician, or if such physician be absent, the owner, lessee, occupant or other person having charge of the said apartments or premises, if he knows or has been notified that such deceased person or persons who have been removed therefrom had open tuberculosis, shall notify the health officer of said county, town, village or city of said death or removal within twenty-four hours thereafter, and such apartments or premises so vacated shall not again be occupied until duly disinfected, cleaned or renovated by the local board of health, in accordance with the methods endorsed and recommended by the State Board of Health. (L. '13, p. 459, sec. 5; C. L., sec. 1088.)

Sec. 176. Same—Expense. When notified of the vacating of any apartment or premises as provided in the last preceding section, the local health officer or one of his assistants or deputies shall within twenty-four hours thereafter visit said apartments or premises and shall order and direct that, except for purposes of cleansing or disinfection, no infected article shall be removed therefrom until properly and suitably cleansed or disinfected; and said health officer shall determine the manner in which such apartments or premises shall be disinfected, cleansed, or renovated in order that they may be rendered safe and suitable for occupancy. If the health authorities determine that disinfection is sufficient to render them safe and suitable for occupancy, such apartments or premises, together with all infected articles therein, shall immediately be disinfected by the health authorities at public expense, or, if the owner prefers, at the owner's expense to the satisfaction of the health authorities; provided, however, that in any locality which, in the judgment of the State Board of Health, may be considered a resort for persons having tuberculosis, such disinfection may, in the discretion of the health authorities, be done by such health authorities at the expense of the owner of the premises. Should the health authorities determine that such apartments or premises are in need of thorough cleansing and renovation, a notice in writing to that effect shall be served upon the owner or agent of said apartments or premises, and said owner or agent shall thereupon proceed to the cleansing or renovating of such apartments or premises in accordance with the instruction of the health authorities, and such cleansing and renovation shall be done at the expense of the said owner or agent. (L. '13, p. 459, sec. 6; C. L., sec. 1089.)

Sec. 177. Failure to disinfect—Premises placarded. In case the orders or directions of the local health officer requiring the disinfection, cleansing or renovation of any apartments or premises or any articles therein as hereinbefore provided, shall not be complied with within seventy-two hours after such orders or directions shall be given, the health officer shall cause a placard in words and form substantially as follows to be placed upon the door of the infected apartments or premises: "Tuber-

culosis is a communicable disease. These apartments have been occupied by a consumptive and may be infected. They must not be occupied until the order of the health officer directing their disinfection or renovation has been complied with. This notice must not be removed under penalty of the law except by the health officer or other duly authorized official." (L. '13, p. 460, sec. 7; C. L., sec. 1090.)

Sec. 178. Tubercular nuisance—Complaint—Abatement—Failure—Penalty. Any person having tuberculosis who shall dispose of his sputum, saliva, or other bodily secretion or excretion so as to cause offense or danger to any person or persons occupying the same room or apartment, house, part of house or premises or adjoining premises, shall on complaint of any person or persons subjected to such offense or danger, be deemed guilty of committing a nuisance, and any person subjected to such a nuisance may make complaint in person or writing to the health officer of any county, town, village or city where the nuisance complained of is committed. The local health officer receiving such complaint shall investigate, and if it appear that the nuisance complained of is such as to cause offense or danger to any person occupying the same room, apartment, house, or part of a house or premises, or adjoining premises, he shall serve notice upon the person so complained of, reciting the alleged cause of offense or danger and requiring him to dispose of his sputum, saliva, or other bodily secretion or excretion in such a manner as to remove all reasonable cause of offense or danger. Any person failing or refusing to comply with orders or regulations of local health officer of any county, town, village or city requiring him to cease to commit such nuisance shall be deemed guilty of a misdemeanor and, on conviction thereof shall be punished as hereinafter provided. (L. '13, p. 460, sec. 8; C. L., sec. 1091.)

Sec. 179. Physician to provide for safety of other inmates. A physician attending a patient having tuberculosis shall take all proper precautions and give proper instructions to provide for the safety of all individuals occupying the same house or apartment, and, if no physician be attending such patient, this duty shall devolve upon the local health officer, and all duties imposed upon physicians by any section of this subdivision shall be performed by the local health officer in all cases of tuberculosis not attended by a physician. (L. '13, p. 461, sec. 9; C. L., sec. 1092.)

Sec. 180. Circular of precautionary information. Every local health officer shall transmit to every physician or person practicing as a physician, reporting any case of tuberculosis, or to the person reported as suffering from this disease, provided the latter has no attending physician, a circular of information provided by the State Board of Health. This circular of information shall inform the consumptive of the precautions necessary to avoid transmitting the disease to others. (L. '13, p. 461, sec. 10; C. L., sec. 1093.)

Sec. 181. Failure to report—False statement—Penalty. Any physician or person practicing as a physician who shall fail to report any case of tuberculosis, or any person who shall report as affected with tuberculosis any person who is not so affected, or who shall wilfully make any false

statement concerning the name, nativity, age, sex, color, occupation, place where last employed, if known, or address of any person reported as affected with tuberculosis, or who shall certify falsely as to any of the precautions taken to prevent the spread of infection, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be subject to a fine of not more than one hundred dollars. (L. '13, p. 461, sec. 11; C. L., sec. 1094.)

Sec. 182. Report of recovery of patient. Upon the recovery of any person having tuberculosis the attending physician shall make report of this fact to the local health officer, who shall record the same in the records of his office and shall relieve said person from further liability or duty imposed by this subdivision. (L. '13, p. 461, sec. 12; C. L., sec. 1095.)

Sec. 183. Violation of subdivision—Penalty. Any person violating any of the provisions of this subdivision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five dollars nor more than one hundred dollars. (L. '13, p. 462, sec. 13; C. L., sec. 1096.)

Sec. 184. Jurisdiction—Justice of the peace and police magistrate. Justices of the peace in their respective jurisdictions, and police magistrates in cities and towns shall have jurisdiction of offenses under this subdivision. (L. '13, p. 462, sec. 14; C. L., sec. 1097.)

RECOMMENDATIONS OF THE DIVISION OF TUBERCULOSIS CONTROL

(Adopted by the Colorado State Board of Health November 5, 1941)

All persons who have been in close contact with an individual with tuberculosis should be examined for tuberculosis. This particularly applies to members of the tuberculous individual's immediate family and other close associates. The examination of these contacts should include a tuberculin test, and if this test is positive, the contact should also have an X-ray examination of the lungs. In those instances where the individual cannot afford an examination, including X-ray, by a private physician, efforts should be made to secure the examination at the local medical or tuberculosis clinic or at one of the periodic tuberculosis clinics conducted by the Colorado State Division of Public Health in cooperation with the Colorado State Medical Society and the Colorado Tuberculosis Association.

Practically all persons with active tuberculosis (any person with tubercle bacilli in his sputum is classified as active) should receive sanatorium treatment. Sanatorium treatment is necessary both for the benefit of the individual and for the protection of his family and members of his community. When a person is financially unable to secure sanatorium treatment, state aid should be sought by making application for hospitalization to the local department of public welfare.

When an individual with tuberculosis remains at home he should observe all precautions necessary to prevent infection of members of his family and of others with whom he comes in contact. These precautions

include proper collection and disposal of the sputum, covering of the mouth with a paper napkin when coughing or sneezing, the use of separate dishes and eating utensils and proper sterilization of them after each use, and the sterilization of any articles of clothing or of toilet articles which may become contaminated by the sputum. The patient should sleep in a separate room and should keep away from children and young adults. For more detailed information regarding tuberculosis and the precautions which should be observed when the treatment of this disease is undertaken in the home, the State Division of Public Health has made available a pamphlet entitled "Tuberculosis of the Lungs — A Booklet for the Patient."

It is the policy of the State Division of Public Health to notify the public health nurse (and the patient's family physician when known) of every reported case or death from tuberculosis that occurs in her district. It is the duty of the nurse, representing the board of health, to call on the private physician and discuss with him the advisability of visiting the home of these individuals and instructing the family of the infectious nature of tuberculosis, the necessity for examination of all members of the family for disease, and the precautions which should be taken to prevent further spread of tuberculosis. In all instances the family physician's wishes regarding the amount of nursing supervision required by the patient or his family should be strictly followed by the public health nurse. In instances where the family physician is not known, the nurse should call on the patient or his family and should ascertain the name of the family physician. Following this, she should consult with the family physician regarding future calls on the patient and follow the same procedure outlined above. After a conference with the family physician, the nurse should aid the patient and his family in securing the necessary examinations by the private physician. When the family cannot afford an examination, including X-ray of the chest, by a private physician, she should help arrange for such examinations by a public agency. In instances where state aid in hospitalization is required, the nurse will also assist the patient in securing such aid.

Following the first visit to a family, the nurse shall return periodically (at least every six months) to determine whether the patient and his family are satisfactorily carrying out her instructions or whether any new measures are needed to prevent spread of the disease. If the patient has moved to another town or state, the Colorado Division of Public Health should be notified.

It is recommended that no person who has or who has had tubercle bacilli in his sputum should be allowed to engage in teaching, nursing, dairying, occupations involving food handling, or the care of children, until he has received a medical certificate, approved by the board of health, stating that his employment would not be dangerous to the public health.

COLORADO
STATE DIVISION OF PUBLIC HEALTH



VENEREAL DISEASE CONTROL

LAWS, RULES AND REGULATIONS
(Revised 1942)

Issued by the
COLORADO STATE BOARD OF HEALTH
424 State Office Building
DENVER

Division of Venereal Diseases

L A W S

STATE OF COLORADO

LAWS PERTAINING TO VENEREAL DISEASE CONTROL FROM COLORADO STATUTES ANNOTATED 1935

From Chapter 48

Section

- 220. Unlawful to advertise cures for sexual disease—Except.
- 221. Same—Penalty—Agent.

From Chapter 78

- 102. Advertisement of substances to cure private diseases, prevent conception or procure abortion unlawful—Penalty.
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- 28. Work by diseased persons forbidden.

SESSION LAWS OF COLORADO 1937

Chapter 163 Blindness in Newly Born

SESSION LAWS OF COLORADO 1939

Chapter 113 Prenatal Law

Chapter 128 Premarital Law

Volume 2, Chapter 48

Sec. 220. Unlawful to advertise cures for sexual disease—Except. It shall be unlawful for any person, association, society, partnership or corporation to circulate, disseminate, spread, print, publish, or cause the circulation, dissemination, spreading, printing or publication of, any public advertisement, announcement, publication, notice or information of the treatment, alleviation, palliation, cure or prevention of any sexual or menstrual disease, weakness or condition; or to display, or expose to the public view, on any public street, alley or road, any instrument, device or thing designed or intended or sold for the treatment, cure, alleviation, palliation or prevention of any sexual or menstrual disease, weakness or condition. But this section and the following section shall not prevent such publication and dissemination of any such advertisement in exclusively medical publications and publications designed and circulated among dealers as trade journals, not for public inspection. (L. '07, p. 354, Sec. 1; R. S. '08, Sec. 1781; C. L., Sec. 6854.)

Sec. 221. Same—Penalty—Agent. Any person, association, society, partnership, or corporation who, or which, shall violate any provisions of this section and the preceding section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty-five dollars, nor more than three hundred dollars, and, in the discretion of the court, may be punished by imprisonment, either accompanied or unaccompanied by a fine, for a period not less than ten days nor more than six months. In construing and enforcing this section and the preceding section, the act of any officer, agent, employe, or servant, acting within the scope of his employment, shall in every case be deemed to be the act of such person, association, society, partnership or corporation. (L. '07, p. 355, Sec. 2; R. S. '08, Sec. 1782; C. L., Sec. 6855.)

Volume 3, Chapter 78

Sec. 102. Advertisement of substances to cure private diseases, prevent conception or procure abortion unlawful—Penalty. The publication, circulation or sale within this state of any circular, newspaper, pamphlet, or other book, containing receipts or prescriptions, immoral in tendency, for the cure of chronic female complaints or private diseases, or recipes or prescriptions for drops, pills, tinctures, or other compounds, designed to prevent inception (conceptions), or tending to produce miscarriage or abortion, is hereby prohibited; and the publisher, circulator and seller thereof shall each be deemed guilty of a misdemeanor and shall upon conviction be liable to a fine of not less than ten or more than one hundred dollars for each offense. (L. '93, p. 396, Sec. 78; R. S. '08, Sec. 5107; C. L., Sec. 968.)

Sec. 152. Women suffering with venereal diseases. There shall be established in this state an institution for the confinement and free treat-

ment of women suffering with venereal diseases, under the name and style of the "State Detention Home for Women." (L. '19, p. 259, Sec. 1; C. L., Sec. 1064.)

Sec. 153. State Board of Health to provide home and treatment. The state Board of Health is to have charge and control of said detention home, and is hereby empowered to lease a suitable building or buildings in which to confine and treat women suffering with venereal diseases; and said Board is authorized to provide and furnish such medical treatment for the women so confined as it may determine. (L. '19, p. 259, Sec. 2; C. L., Sec. 1065.)

Sec. 154. Women committed to home—May demand trial. When any female is found by the inspector or agent of the State Board of Health to be suffering with venereal disease, or any woman is reported to the State Board of Health to be suffering with said disease by any licensed physician or licensed pharmacist, and in the opinion of the State Board of Health or its secretary, such woman is dangerous to the public health, the inspector or agent of said State Board of Health shall cause such woman to be committed to said detention home for women for hospital treatment; Provided, however, That the woman found to be so suffering with such disease may demand a trial before the district or county court having jurisdiction in the county from which she is committed. (L. '19, p. 260, Sec. 3; C. L., Sec. 1066.)

Sec. 155. Jurisdiction of courts—Jury. The district and county courts, and the judges thereof, in their respective counties, shall have exclusive original jurisdiction to try all cases arising under the provisions of this subdivision whenever a female alleged to be suffering with a venereal disease demands a trial. All such cases shall be summarily tried before the court, or the judge thereof, and without the intervention of a jury unless a jury be demanded. (L. '19, p. 260, Sec. 4; C. L., Sec. 1067.)

Sec. 156. Duration of commitment. All commitments to the State Detention Home for Women shall be for such time as determined by the State Board of Health to be necessary to effect a permanent cure. (L. '19, p. 260, Sec. 5; C. L., Sec. 1068.)

Sec. 157. Records of patients kept—Not public. A record shall be kept of each person committed to said home, setting forth her name, age, nativity, nationality, date of admission, the disease with which she is afflicted, likewise any further facts which may be required by the State Board of Health; Provided, however, That such record shall not be open to the public. (L. '19, p. 260, Sec. 6; C. L., Sec. 1069.)

Sec. 158. Conveyance to home. It shall be the duty of the inspector or agent of the State Board of Health to convey any person committed under the provisions of this subdivision to said detention home. (L. '19, p. 260, Sec. 7; C. L., Sec. 1070.)

Sec. 159. Voluntary admission. Any female knowing or believing that she is affected with any venereal disease may apply for admission to the State Detention Home for Women for examination and treatment, and

if found to be so diseased, shall receive treatment therein. (L. '19, p. 261, Sec. 8; C. L., Sec. 1071.)

Sec. 160. Matron and employes. The State Board of Health shall appoint a matron for said detention home, who shall have general supervision thereof, and the said State Board of Health shall appoint such other employes as may be necessary to properly conduct said home, and any and all such employes as well as the matron of said home may be removed whenever said Board of Health shall so determine. (L. '19, p. 261, Sec. 9; C. L., Sec. 1072.)

Sec. 161. Salaries. The matron and employes of such home shall be paid such salaries monthly as shall be agreed upon between them and the State Board of Health. (L. '19, p. 261, Sec. 10; C. L., Sec. 1073.)

Sec. 162. Vouchers for supplies. All vouchers for the purchase of supplies or other indebtedness for the State Detention Home for Women shall be approved by the president and secretary of the State Board of Health, and upon presentation to the Auditor of State, he shall draw a warrant upon the State Treasurer in favor of the claimant, out of any moneys appropriated for the care and support of the said home. (L. '19, p. 261, Sec. 11; C. L., Sec. 1074.)

Sec. 163. Venereal diseases declared dangerous to public health. Syphilis, gonorrhea and chancroid, hereinafter designated as venereal diseases, are hereby declared to be contagious, infectious, communicable and dangerous to the public health. It shall be unlawful for anyone infected with those diseases or any of them to expose another person to infection. (L. '19, p. 247, Sec. 1; C. L., Sec. 1075.)

Sec. 164. Department of venereal diseases—Director—Assistance. There is hereby created in the State Board of Health a division or department relating to venereal diseases, and the State Board of Health shall have power to appoint a competent director to direct the duties of said division as determined by the State Board of Health. The said Board of Health shall provide necessary inspectional, bacteriological, pathological, clerical and stenographic assistance needed by the said director, and the director and his assistants shall receive such salaries as may be fixed by the State Board of Health, and all necessary expenses in performance of their duties. (L. '19, p. 247, Sec. 2; C. L., Sec. 1076.)

Sec. 165. Venereal cases must be reported to authorities—When name of patient to be reported. Any physician, interne or other person who makes a diagnosis in, prescribes for or treats a case of venereal disease, and any superintendent or manager of a state, county or city hospital, dispensary, sanitarium, or charitable or penal institution, in which there is a case of venereal disease, shall make a report of such case to the health authorities, according to such form, manner and time as the State Board of Health shall direct.

On or before the 10th day of each month, such physician, interne, or other person who makes a diagnosis in, prescribes or treats a case of venereal disease, and any superintendent or manager of a state, county

or city hospital, sanitarium, dispensary or penal institution in which there is a case of venereal disease, shall report to the local health officer the total number of new infections of venereal disease treated by them or appearing in said institutions during the preceding calendar month.

Nothing in this subdivision shall be construed to require the reporting of the name or address of persons afflicted with venereal disease, providing that the municipality or health district in which the patient resides shall be named in the report; and Provided further, That when by reason of known circumstances, conditions and habits of a particular person, he or she is a menace to the health of any other person or persons, the name of the patient may be given by the physician reporting the case, to a duly authorized health officer, for the purpose of investigation and enforcement of the law. (L. '19, p. 248, Sec. 3; C. L. Sec. 1077; L. '25, p. 420, Sec. 1.)

Sec. 166. Medicine, etc., sold only on written prescription. No medicine, remedy or preparation of any kind for the relief or cure of any of said venereal diseases shall be sold by anyone within the State of Colorado, except upon the original written prescription of a licensed, practicing physician in Colorado, which prescription shall bear the name and address of the prescribing physician and the name of the municipality or health district in which the patient resides.

The said prescription shall not be refilled nor copy given, except to the proper health officer or on his order, shall be subjected to inspection by authorized health officers and kept on file for at least two years.

No prescription shall be made out or professional services rendered by any physician or other person in case of venereal disease, unless the name, address and occupation of the patient is known. Any person applying to any physician, pharmacist, hospital or sanitarium for treatment, medicine or hospital care in case of venereal disease, who shall falsely report to any physician, pharmacist, hospital or sanitarium the name, address or occupation of the person having such disease or the person for whom the prescription or remedy is intended, shall be deemed to have violated the provisions of this subdivision. (L. '19, p. 248, Sec. 4; C. L. Sec. 1078; L. '25, p. 421, Sec. 2.)

Sec. 167. Health officers to examine suspected cases—Quarantine—Treatment. State, county and municipal health officers, or their authorized assistants or deputies, within their respective jurisdictions are hereby directed and empowered, when in their judgment it is necessary to protect the public health, to make examinations of persons reasonably suspected of being infected with venereal disease, and to detain such persons until the results of such examinations are known, to require persons infected with venereal disease to report for treatment to a reputable physician and continue treatment until cured or to submit to treatment provided at public expense until cured, and, also, when in their judgment it is necessary to protect the public health, to isolate or quarantine persons infected with venereal disease. It shall be the duty of all local and state health officers to investigate sources of infection of venereal disease, to cooperate with

the proper officials whose duty it is to enforce laws directed against prostitution, and otherwise to use every proper means for the repression of prostitution. (L. '19, p. 249, Sec. 5; C. L., Sec. 1079.)

Sec. 168. Examination and treatment of persons confined or imprisoned—Isolation. All persons who shall be confined, detained or imprisoned in any state, county or city hospital for insane, institution for feeble minded, industrial school for boys or girls, home for dependent children, reformatory or prison or any private or charitable institution where any person may be confined, detained or imprisoned by order of court in this state, shall be examined for, and, if infected, treated for venereal diseases by the health authorities having jurisdiction. The managing authorities of any institution above named are directed to make available to the health authorities such portion of any hospital for insane, institution for feeble minded, industrial school for boys or girls, home for dependent children, reformatory or prison or any such private or charitable institution as may be necessary for a clinic or hospital, wherein all persons who may be confined or detained or imprisoned in any such institution and who are infected with venereal diseases may be treated in a manner as prescribed by the director of the division of venereal diseases of the State Board of Health. All persons who are suffering with venereal disease at the time of the expiration of their terms of imprisonment or confinement and other persons who may be isolated, quarantined, or treated under the provisions of the last preceding section shall be isolated and treated at public expense, until cured, or, in lieu of such isolation, any of such persons may, in the discretion of the State Board of Health, be required to report for treatment to a licensed physician, or submit to treatment provided at public expense as provided in the last preceding section. The Director of the Division of Venereal Diseases of the State Board of Health is hereby authorized and empowered to arrange for hospitalization, and to provide and furnish such medical treatment as may be determined to be necessary. Nothing herein contained shall be construed to interfere with the service of any sentence imposed by a court as a punishment for the commission of crime. (L. '21, p. 657, Sec. 1; amending L. '19, p. 250, Sec. 6; C. L., Sec. 1080.)

Sec. 169. Rules and regulations have effect of law. The State Board of Health is hereby empowered and directed to make such rules and regulations as shall in its judgment be necessary for the carrying out of the provisions of this subdivision, including rules and regulations providing for the control and treatment of persons isolated or quarantined under the provisions of section 167 of this chapter, and such other rules and regulations, not in conflict with provisions of this subdivision, concerning the control of venereal disease, and concerning the care, treatment and quarantine of persons infected therewith, as it may from time to time deem advisable. All such rules and regulations so made shall be of force and binding upon all county and municipal health officers and other persons affected by this subdivision, and shall have the force and effect of law. (L. '19, p. 250, Sec. 7; C. L., Sec. 1081.)

Sec. 170. Violation of subdivision—Penalty. Any persons, firm or corporation violating any of the provisions of this subdivision or any lawful rule or regulation made by the State Board of Health pursuant to the authority herein granted, or who shall fail or refuse to obey any lawful order issued by any state, county, or municipal health officer, pursuant to the authority granted in this subdivision, shall, upon conviction, be fined in a sum not to exceed three hundred dollars or imprisonment not exceeding ninety days or both fine and imprisonment at the discretion of the court. (L. '19, p. 251, Sec. 8; C. L. Sec. 1082.)

FOOD HANDLERS LAW

(Colorado Statutes Annotated 1935, Volume 3, Chapter 69)

Sec. 28. Work by diseased persons forbidden. It shall be unlawful for any employer to require, suffer or permit any person who is affected with any contagious, infectious or venereal disease to work, or for any person so affected to work in a building, room, basement, inclosure, or premises or vehicle occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution or transportation of food. (L. '13, p. 512, Sec. 8; C. L., Sec. 1022.)

LAW RELATING TO BLINDNESS IN THE NEWLY BORN

(Session Laws of Colorado 1937, Chapter 163)

AN ACT

FOR THE PREVENTION OF BLINDNESS IN THE NEWLY BORN

Section 1. That any inflammation, swelling, or unusual redness in either one or both eyes of any infant, either apart from or together, with any unnatural discharge from the eyes or eye of such infant, independent of the nature of the infection, if any, occurring at any time within two weeks after the birth of such infant, shall be known as "inflammation of the eyes of the newly born" (ophthalmia neonatorum).

Sec. 2. It shall be the duty of the State Board of Health:

(a) To officially name and approve a prophylaxis to be used in treating the eyes of newly born infants, which may be a solution of nitrate of silver or such other prophylaxis as the board shall from time to time approve;

(b) To enforce the provisions of this act;

(c) To promulgate such rules and regulations as shall under this act be necessary for the purpose of this act, and such as the State Board of Health may deem necessary for the further and proper guidance of local health officers;

(d) To provide for the gratuitous distribution of one per cent solution of silver nitrate outfits, or such other prophylaxis as the board may select, together with proper directions for the use and administration thereof, to all physicians and midwives as may be engaged in the practice of obstetrics, or assisting at childbirth;

(e) To furnish copies of this law to all physicians and midwives as may be engaged in the practice of obstetrics, or assisting at childbirth.

Sec. 3. It shall be the duty of any physician, nurse, midwife, or other person, who shall assist and be in charge at the birth of any infant, or have care of the same after birth, to treat the eyes of the infant with a prophylaxis approved by the State Board of Health. Such treatment shall be given as soon as practicable after the birth of the infant and always within one hour; and if any redness, swelling, inflammation or gathering of pus shall appear in the eyes of such infant, or upon the lids or about the eyes, within two weeks after birth, then any nurse, midwife, or other person having care of the infant shall report the same to some competent practicing physician within six hours of its discovery.

Sec. 4. It shall be the duty of the local health officer:

(a) To investigate or have investigated each case as filed with him in pursuance of the law, and any other cases as may come to his attention.

(b) To conform to such other rules and regulations as the State Board of Health shall promulgate for his further guidance;

(c) Provided, however, that nothing in the two preceding sections shall be construed to require medical treatment for the minor child of any person who is a member of a well recognized church or religious denomination and whose religious convictions in accordance with the tenets or principles of his church or religious denomination are against medical treatment for disease.

Sec. 5. Whoever being a physician, surgeon, midwife, obstetrician, nurse, manager or person in charge of a maternity home or hospital, parent, relative, or person attending upon or assisting at the birth of an infant, violates any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum of not less than ten (10) nor more than fifty (50) dollars, or serve a term of imprisonment in the county jail of not to exceed fifty (50) days.

Sec. 6. The general assembly hereby finds, determines and declares this act necessary for the immediate preservation of the public peace, health and safety.

Sec. 7. In the opinion of the general assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

PRENATAL LAW

(Session Laws of Colorado 1939, Chapter 113)

House Bill No. 470. By Representatives Smith, Cheever, Douglas, and Bailey; and Senators Briscoe, Aspinall and Glenn (by request).

AN ACT

Requiring serological blood tests; providing for its administration; and prescribing penalties for violation thereof.

Be It Enacted by the General Assembly of the State of Colorado:

Sec. 1. Every physician licensed to practice medicine attending a pregnant woman in the state for conditions relating to her pregnancy during the period of gestation or at delivery shall, in the case of every woman so attended, take or cause to be taken a sample of blood of such woman at the time of first professional visit or within ten days thereafter. The blood specimen thus obtained shall be submitted to an approved laboratory for a standard serological test for syphilis. Every other person permitted by law to attend pregnant women in the state but not permitted by law to take blood samples, shall cause a sample of blood of such pregnant women to be taken by a physician duly licensed to practice medicine and surgery and have such sample submitted to an approved laboratory for a standard serological test for syphilis.

Sec. 2. For the purposes of this Act, a standard serological test shall be a test for syphilis approved by the State Board of Health of Colorado, and shall be made at a laboratory approved to make such tests. Such laboratory tests as are required by this Act may be made on request without charge at the Colorado State Board of Health Laboratory.

Sec. 3. In reporting every birth and stillbirth, physicians and others required to make such reports shall state on the certificate whether a blood test for syphilis has been made upon a specimen of blood taken from the woman who bore the child for which a birth or stillbirth certificate is filed, and the approximate date when the specimen was taken. In no event shall the birth certificate state the result of the test.

Sec. 4. Any licensed physician and surgeon, or other person, engaged in attendance upon a pregnant woman during the period of gestation and or at delivery, or any representative of a laboratory who violates the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not to exceed three hundred dollars (\$300.00); Provided, however, every licensed physician and surgeon or other person engaged in attendance upon a pregnant woman during the period of gestation or at delivery, who requests such specimen in accordance with the provisions of section 1, and whose request is refused, shall not be guilty of a misdemeanor.

Sec. 5. The district attorneys in the several districts in the state shall prosecute for violation of this Act as for other crimes and misdemeanors.

Sec. 6. All Acts or parts of Acts inconsistent or in conflict herewith are hereby repealed.

Sec. 7. The general assembly hereby declares that this Act is necessary for the immediate preservation of the public peace, health and safety.

Sec. 8. In the opinion of the general assembly, an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

Approved: April 10, 1939.

PREMARITAL LAW

(Session Laws of Colorado 1939, Chapter 128)

House Bill No. 466. By representatives Smith, Cheever, Bailey, and Douglas (by request).

AN ACT

To amend Sections 5 and 10, Chapter 107, 1935 Colorado Statutes Annotated, relating to marriage; providing for examinations and serological tests of applicants for a marriage license, and effectual duration of license. Section 5.

(d) Premarital Examination:

(1) Before any person, who now is or may hereafter be authorized by law to issue marriage licenses, shall issue any such license, each applicant therefor shall file with him a certificate from a physician licensed to practice medicine, which certificate shall state that the applicant has been given such examination, including a standard serological test for syphilis, made not more than thirty days (30) prior to the date of issuance of such license, and that in the opinion of such physician, this person either is not infected with syphilis, and other venereal diseases, or is not in a stage of that disease which may become communicable.

(2) The above mentioned physician certificate shall be accompanied by a statement from the person in charge of the laboratory making the test, or from some other person authorized to make such reports, setting forth the name of the test, the date it was made, the name and address of the physician to whom the report was sent, and the name and address of the person whose blood was tested, but not stating the result of the test.

(3) The above mentioned certificate of physician and statement of person authorized to make reports for the laboratory shall be on a form to be provided and distributed by the Colorado State Board of Health to all officers authorized to issue marriage licenses, and to approve laboratories in the state.

(4) For the purpose of this Act, a standard serological test shall be a test for syphilis and other venereal diseases approved by the State Board of Health of Colorado, and shall be made at a laboratory approved to make such tests.

Such laboratory tests as are required by this Act may be made on request without charge at the Colorado State Board of Health Laboratory.

(5) Before the licensing officer issues any marriage license, he shall attach thereto the above mentioned certificate form of each applicant. No minister or other person authorized to perform marriage ceremonies in Colorado shall perform any such ceremony unless the certificate form of each party is attached to the marriage license, and they shall remain so attached until the marriage certificate is filed.

Sec. 2. Section 10, Chapter 107, 1935 Colorado Statutes Annotated is hereby amended to read as follows:

Section 10.

Judge of court of record may order license to marry to be issued. In the event that any county clerk and recorder shall refuse to issue a license to marry, or in case of circumstances arising which, in the opinion of a judge of any court of record within the county within which application for a license is made, would necessitate the waiver of any one or more of the requirements of sections 5 to 14 of this chapter excluding premarital examination and serological tests, either applicant for such license may apply to any such judge for the issuance of a license without compliance with any one or more of the provisions of sections 5 to 14 of this chapter. If the judge shall be of the opinion that it is advisable that such license be issued, or that such circumstances exist that it is proper that any one or more of the requirements of sections 5 to 14 of this chapter excluding premarital examination and serological tests be waived, such judge may consent in writing to the issuance of such license; and upon such consent of such judge in writing being filed with the county clerk and recorder, such clerk shall thereupon issue such license at the time specified in said written consent. No fee or court costs shall be charged or taxed by any judge for the consent herein provided for.

Sec. 3. The State Board of Health may order license to marry to be issued: In the event that any county clerk and recorder shall refuse to issue a license to marry, in case of circumstances arising which would necessitate the temporary waiver of premarital examination and serological tests, both applicants for such license may apply to the State Board of Health for the issuance of a certificate to enable a license to be issued. If the State Board of Health shall be of the opinion that it is advisable that such license be issued, or that such circumstances exist that it is proper and known to both applicants that any one or more of the requirements of this Act be temporarily waived during treatment period, then the Board of Health may consent in writing to the issuance of such license; and upon such consent of the State Board of Health in writing being filed with the county clerk and recorder, such clerk shall thereupon issue such license at the time specified in said written consent. No fee shall be charged or taxed by the State Board of Health for the consent herein provided for.

Sec. 4. The general assembly hereby finds, determines and declares that this Act is necessary for the immediate preservation of the public peace, health and safety.

Sec. 5. This Act shall take effect and be in force from and after six months (6) after its passage.

Approved: April 10, 1939.

**REGULATIONS OF THE DIVISION OF VENEREAL DISEASE
ADOPTED BY THE COLORADO STATE BOARD OF
HEALTH, NOVEMBER 3, 1941**

The Colorado State Board of Health, at a meeting held in the State Office Building, November 3, 1941, pursuant to an Act of the General Assembly, approved by the Governor March 19, 1919, creating a department or division of venereal diseases, had under consideration the matter of venereal disease in the State of Colorado, and by a unanimous vote adopted the following rules and regulations as required by law.

These regulations as declared by statute have the full force and effect of law and any person, firm or corporation violating them is subject to a fine not exceeding three hundred dollars or imprisonment not exceeding ninety days, or both fine and imprisonment.

When these regulations were adopted all prior rules, regulations or parts of regulations relating to venereal disease were repealed.

Regulation 1

VENEREAL DISEASE TO BE REPORTED

All persons required by law to report venereal disease shall report to the local health officer or to the State Board of Health on forms supplied by the Division of Venereal Disease. Reports shall be made when cases are diagnosed or treated regardless of previous report by another person or institution.

Regulation 2

IDENTIFICATION OF PATIENT

The patient may be reported by name, number or symbol. If identification other than name is used for a report, the physician shall keep an office record identifiable by the number or symbol.

Regulation 3

LABORATORY SERVICE

The Director of Venereal Disease shall arrange through the facilities of the State Board of Health for the furnishing of mailing containers to physicians and clinics for venereal disease specimens, and the examination of such specimens by the State Board of Health Laboratory. Reports on the result of examination of venereal disease specimens shall be reported to clinics and physicians licensed in Colorado on any medically needy patient.

Facilities for the following examinations shall be made available.

1. Culture and microscope for gonorrhea.
2. Serological tests for syphilis.
3. Spinal fluid tests for syphilis.
4. Other tests as directed by the Board.

Regulation 4**DRUG DISTRIBUTION**

The Director of Venereal Disease shall distribute free on request of Colorado physicians or clinics, the necessary drugs for the treatment of venereal disease in medically needy persons. Such drugs shall be supplied only after receipt of a case report and the physician or clinic shall identify the person or persons for whom the drugs are intended. The Division of Venereal Disease shall make available for distribution the following drugs:

1. Arsenical drugs for syphilis.
2. Bismuth drugs for syphilis.
3. Sulfonamide drugs for gonorrhea.
4. Other drugs as directed by the Board.

Regulation 5**PREMARITAL BLOOD TESTS**

The following laboratories are approved for the performance of serological tests under the Colorado Premarital Law (1939):

1. The laboratory of the Colorado State Board of Health.
2. The laboratories of all other State and Territorial Health Departments, appraised and approved by the United States Public Health Service.
3. Laboratories of the United States Army, Navy, and Public Health Service.
4. Other laboratories as approved from time to time by the Board.

Regulation 6**FOOD HANDLERS**

All persons engaged in the handling and preparation of food shall obtain a permit card from the State Board of Health. Application for a permit card shall be made on a form furnished by the Board and shall include a report from a licensed physician stating that the applicant has been examined and found free of communicable disease. Examination shall include a blood test and other laboratory reports as indicated.

COLORADO
STATE DIVISION OF PUBLIC HEALTH



INDUSTRIAL HYGIENE

LAWS, RULES AND REGULATIONS

(Revised 1942)

Issued by the
COLORADO STATE BOARD OF HEALTH
424 State Office Building
DENVER

REGULATIONS

OCCUPATIONAL DISEASES REPORTABLE IN
COLORADO

(To be reported within 24 hours)

The occupational diseases listed below are reportable immediately (within 24 hours), by telephone, in person, or by writing to the local health officer of the municipality or county in which such diseases exist, giving the name of the disease, the full name, age, sex, race and address of the person apparently affected. In addition, these reports should give the place of employment or the place where the condition was contracted, if different from the regular place of employment. These diseases should also be reported to the State Board of Health at the end of each week on the weekly report card.

Anthrax	Lead Poisoning
Analine Poisoning	Manganese Poisoning
Benzine Poisoning (Petroleum ether)	Mercury Poisoning
Benzol (Benzene) Poisoning	Metal Fume Fever (Brass)
Cadmium Poisoning	Methyl (Wood) Alcohol Poisoning
Carbon Disulphide (Bisulphide) Poisoning	Naphtha Poisoning
Carbon Monoxide Asphyxiation	†Silicosis
Carbon Tetrachloride Poisoning	†Silico-Tuberculosis
Chromic Acid Poisoning	Tetra Ethyl Lead Poisoning
Gasoline Poisoning	Toluene Poisoning
	Turpentine Poisoning

The following codes and regulations, adopted by the industrial hygiene division of the Colorado State Division of Public Health, were approved by the State Board of Health, September 18, 1941:

REGULATION 1. General. No person, firm, corporation or other employer shall use or permit to be used in the conduct of his business, manufacturing establishment or other place of employment, any process, material or method of working known to have an adverse effect on health, unless arrangements have been made to maintain the occupational environment in such a manner that injury to health shall not result.

REGULATION 2. Concentration limits. Exposures to dusts, fumes, mists, vapors, gases, or any materials that may affect health shall be kept below concentration limits, as established in Regulation 3.

†Reportable within one week.

REGULATION 3.

SUGGESTED MAXIMUM PERMISSIBLE CONCENTRATIONS
(Toxic Thresholds)

Substance	Unit of Measurement	Limit
Dusts:		
Asbestos	Million particles per cubic foot.. (0.5 to 10.0 microns)	5
Cement	Million particles per cubic foot..	15
Organic	Million particles per cubic foot.. (0.5 to 5.0 microns)	50
Pottery	Million particles per cubic foot..	4
*Silica (25-35% SiO ₂)	Million particles per cubic foot.. (0.5 to 5.0 microns)	10
Silica (over 35% SiO ₂)	Million particles per cubic foot.. (0.5 to 5.0 microns)	5
Slate	Million particles per cubic foot..	15
Talc	Million particles per cubic foot..	15

Substance	Unit of Measurement	Limit
Gases and Vapors:		
Acetone	Parts per million.....	200
Ammonia	Parts per million.....	100
Amyl Acetate.....	Parts per million.....	400
Aniline	Parts per million.....	5
Arsine	Parts per million.....	1
Benzol	Parts per million.....	100
Butanol	Parts per million.....	100
Butyl Acetate.....	Parts per million.....	400
Carbon Bisulfide.....	Parts per million.....	15
Carbon Dioxide.....	Parts per million.....	5,550
Carbon Monoxide.....	Parts per million.....	100
Carbon Tetrachloride.....	Parts per million.....	100
Chlorine	Parts per million.....	1
Chloroform	Parts per million.....	100
Dichlor Benzene.....	Parts per million.....	75
Dichlor Ethyl Ether.....	Parts per million.....	15
Ether (Ethyl).....	Parts per million.....	400
Ethyl Alcohol.....	Parts per million.....	250
Ethyl Bromide.....	Parts per million.....	1,700
Ethyl Chloride.....	Parts per million.....	20,000
Ethylene Dichloride.....	Parts per million.....	100
Formaldehyde	Parts per million.....	20
Gasoline	Parts per million.....	1,000
Hydrogen Cyanide.....	Parts per million.....	20

*Dusts of other mineralogical composition shall be kept below concentrations which will be stipulated depending on the nature of the dust.

*Dust count (million particles per cubic foot of air) multiplied by percentage of free silica (silicon dioxide), should be less than 5.

Substance	Unit of	
Gases and Vapors Continued:	Measurement	Limit
Hydrochloric Acid.....	Parts per million.....	10
Hydrogen Fluoride.....	Parts per million.....	3
Hydrogen Sulfide.....	Parts per million.....	20
Methanol.....	Parts per million.....	100
Methyl Bromide.....	Parts per million.....	50
Methyl Chloride.....	Parts per million.....	500
Monochlor Benzene.....	Parts per million.....	75
Naphtha.....	Parts per million.....	5,000
Nitrobenzene.....	Parts per million.....	1
Nitrogen Oxides.....	Parts per million.....	10
Ozone.....	Parts per million.....	1
Phosgene.....	Parts per million.....	1
Phosphine.....	Parts per million.....	2
Phosphorus Trichloride.....	Parts per million.....	0.7
Sulfur Dioxide.....	Parts per million.....	10
Tetrachlor Ethane.....	Parts per million.....	10
Tetrachlor Ethylene.....	Parts per million.....	200
Toluol.....	Parts per million.....	100
Trichlor Ethylene.....	Parts per million.....	200
Turpentine.....	Parts per million.....	700
Xylo! and Coal Tar Naphtha....	Parts per million.....	100

Metallic Dusts and Fumes:	Milligrams	
Cadmium.....	Per cubic meter.....	0.1
Chromic Acid.....	Per cubic meter.....	0.1
Lead.....	Per cubic meter.....	0.15
Manganese.....	Per cubic meter.....	50
Mercury.....	Per cubic meter.....	0.1 to 0.2
Zinc Oxide.....	Per cubic meter.....	15
Chlorodiphenyl.....	Per cubic meter.....	1.0
Pentachloronaphthalene.....	Per cubic meter.....	0.5
Trichloronaphthalene.....	Per cubic meter.....	5.0

LOWER EXPLOSIVE LIMITS OF INFLAMMABLE VAPORS

Gas or Vapor	% by Vol.	Gas or Vapor	% of Vol.
Acetone.....	2.2	Ethane.....	3.2
Acetylene.....	2.3	Ether (Ethyl).....	1.7
Ammonia.....	16.0	Ethyl Acetate.....	2.3
Amylene.....	1.6	Ethyl Alcohol.....	3.5
Amyl Chloride.....	1.4	Ethyl Bromide.....	7.0
Benzol.....	1.4	Ethyl Chloride.....	4.0
Butane.....	1.6	Ethyl Formate.....	3.5
Butyl Acetate.....	1.7	Ethyl Nitrate.....	3.0
Butyl Alcohol.....	1.7	Ethylene.....	3.0
Carbon Bisulfide.....	1.0	Ethylene Dichloride.....	6.2
Carbon Monoxide.....	12.5	Ethylene Oxide.....	3.0

Gas or Vapor	% by Vol.	Gas or Vapor	% of Vol.
Furfural	2.0	Methyl Ethyl Ketone.....	2.0
Gasoline	1.4	Methyl Formate.....	6.0
Heptane	1.1	Natural Gas.....	4.8
Hexane	1.2	Pentane	1.4
Hydrogen	4.1	Propane	2.5
Illuminating gas.....	5.3	Propyl Acetate.....	2.0
Methane	5.0	Propyl Alcohol.....	2.5
Methanol	6.1	Pyridine	1.8
Methyl Acetate.....	4.1	Toluol	1.2
Methyl Bromide.....	13.5	Vinyl Chloride.....	4.0
Methyl Chloride.....	8.0	Water Gas.....	6.0 to 9.0
Methyl Cyclohexane.....	1.2		

It is not implied that observance of these figures is a guarantee against possible ill health of workers exposed, or that medical control can be neglected. Revision of any such table from time to time may be necessary at the discretion of the Division of Industrial Hygiene.

REGULATIONS OF THE COLORADO DIVISION OF INDUSTRIAL HYGIENE GOVERNING THE USE OF HATTERS' MERCURIAL CARROTING SOLUTIONS

REGULATION 4.

Section 1.

Definitions: For the purpose of carrying out the provisions of these regulations the following terms are defined:

Hatters' fur is any animal fiber or other substance used in the manufacture of hats, which is treated or otherwise prepared by the process of, or in a manner similar to, that of of carroting.

Carroting is the process of treating hatters' fur with mercury nitrate or any other solution or material for the purpose of rendering the hatters' fur suitable for the manufacture of hats.

Mercurial carrot is any solution or material containing mercury or its compounds in combination with nitric acid or other materials and used in the carroting or preparation of hatters' fur.

Section 2.

Effective December 1, 1941, the use of mercurial carrot in the preparation of hatters' fur, or the use of mercurial carroted hatters' fur in the manufacture of hats, is prohibited:

Provided, That any hat manufacturer or fur cutter having mercurial carroted hatters' fur on hand December 1, 1941, may use said fur until it is consumed.

COLORADO
STATE DIVISION OF PUBLIC HEALTH



SANITARY ENGINEERING

LAWS, RULES AND REGULATIONS
(Revised 1942)

Issued by the
COLORADO STATE BOARD OF HEALTH
424 State Office Building
DENVER

SANITARY ENGINEERING

LAWs RELATING TO SANITARY ENGINEERING

(Colorado Statutes Annotated 1935)

Section

From Chapter 78

22. Creation of division.
23. State Board of Health to make rules governing division—Director and employes.
24. Personnel of division—Qualifications of director and employes.
25. Laboratory examinations.

From Chapter 163

10. Powers of city council and board of trustees.
11. Council may dispose of water works, etc.
22. Supply water to outside consumers.
69. City council—Powers.
85. Sewers—Petition for construction—Construction by council.
86. Assessments not paid, how collected.
375. Control park grounds outside limits.
89. Powers of council and board of trustees.
110. Construction of water mains by citizens.
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From Chapter 136.

65. Power of city to make local improvements.
66. What improvements can be made—Conditions.
67. Construction of sidewalks, water mains, or sewers.
73. City or town may establish sewer districts.
74. Establishment of district sanitary sewers—Contracts—Contiguous towns may unite in construction.
75. Private sewers—How constructed.
76. Cost assessed in proportion to area.
79. Sub-districts—May be ordered in sewer districts.

From Chapter 174

1. Domestic water works districts.

From Chapter 61.

2. Petition to assess, compensation—Contents—Parties.

From Chapter 163

140. Eminent domain beyond limits for sewage disposal works, etc.

From Chapter 48

257. Highway—Obstructing—Polluting water course, lake, sewer—Penalty.
258. Polluting streams—Penalty.
259. Unlawful to flow oil into stream—Penalty.

Section**From Chapter 53**

4. Unlawful to defile waters of Platte river and Bear creek.
5. City of Denver given jurisdiction over streams.
9. Obstructions or pollutions.

(Colorado Statutes Annotated 1935, Chapter 78, Health)

Sec. 22. Creation of division. That there is hereby created in the State Board of Health, a division of sanitary engineering, the powers and duties of which shall be as follows: (a) To act in advisory capacity relative to public water supplies, water purification plants, sewerage systems and sewage treatment plants, and to exercise supervision over nuisances growing out of the operation of such water and sewage works; (b) to make investigations and inquiries with respect to causes of disease, especially epidemics, and to make such other sanitary investigations as may be deemed necessary for the protection and promotion of the public health; (c) to maintain chemical, bacteriological and biological laboratories and to make examinations of water, sewage, wastes, and such other substances as may be deemed necessary, for the protection of the public health.

Sec. 23. State Board of Health to make rules governing division—Director and employes. The State Board of Health is empowered to make such rules and regulations, which shall have the force and effect of law, as may be necessary to provide for the effective operation of the division of sanitary engineering in performing these duties; and said Board is hereby authorized and empowered to employ a Director and Bacteriologist and such assistants and employes as shall be necessary to properly carry out the intent and purpose of this Act, and to fix and pay their compensation and salaries, and to provide for their duties, and the terms of their employment, subject to the laws relating to the Classified Civil Service.

Sec. 24. Personnel of division—Qualifications of director and employes. The personnel of the division of sanitary engineering shall comprise a director, a bacteriologist, and such assistants as may from time to time be necessary to carry on the work of the division. The director of this division shall be a sanitary engineer, who shall be appointed by the State Board of Health, and shall hold office as long as his services are satisfactory. He shall be a graduate civil or sanitary engineer from a recognized university or technical institution, shall show a record of experience in sanitary engineering and public health work indicating that he is fully qualified to direct the work of this division, and he shall hold a Colorado Engineer's license. The bacteriologist shall be a graduate in bacteriology or sanitary chemistry from a recognized university or technical institution and shall show a record of training and experience indicating that he is fully qualified to perform the ordinary bacteriological, chemical and biological tests on water and sewage.

Sec. 25. Laboratory examinations. Bacteriological, chemical and biological examinations of samples of water, sewage and trade wastes which

affect or tend to affect the public health shall be made by this division in the laboratory of the State Board of Health in Denver. Any equipment and supplies required in addition to that required for the other work of the laboratory is to be provided by the division of sanitary engineering.

EXTRACTS FROM LAWS RELATING TO POWERS OF INCORPORATED CITIES AND TOWNS

(Colorado Statutes Annotated 1935, Chapter 163)

I. ALL CITIES AND TOWNS

Sec. 10. Powers of city council and board of trustees. (Part.) The city council and board of trustees in towns shall have the following powers:

(Streets and alleys, etc.)

Seventh—(Referring to streets, alleys, avenues, sidewalks, parks and public grounds.—Part.) (6) To provide for the cleansing of the same. (9) To regulate and prevent the throwing or depositing of ashes, garbage or any offensive matter in, and to prevent any injury to any street, avenue, alley or public ground.

(Railroads.)

Eighth—To compel and require railroad companies to make and keep open, and to keep in repair, ditches, drains, sewers and culverts along and under their railroad tracks, so that filthy or stagnant pools of water cannot stand on their grounds or right of way, and so that the natural drainage of adjacent property shall not be impeded.

(Construct and keep in repair culverts, drains, etc.)

Tenth—To construct and keep in repair culverts, drains, sewers and cesspools, and to regulate their use; and all cities and incorporated towns are authorized to assess either in whole or part except as hereinafter otherwise provided, the cost of the construction of sewers and drains upon the lot or lots, or lands adjacent to and opposite such improvement, in proportion to the frontage of such lot or lots, or lands, abutting upon the street or alley wherein such sewer or drain is to be laid; Provided, That the cost of such sewer or drain at street intersections or crossings shall be wholly paid for by such city or town; and, Provided, further, That the benefit to the public generally, if any, shall be assessed against such city or town, and the balance shall be assessed against the lot or lots or lands and the owners thereof, according to frontage as aforesaid, said benefits to be determined as may be provided by ordinance.

(Water courses.)

Eleventh—To deepen, widen, dock, cover, wall, alter or change the channel of water courses.

(Water courses on private property.)

Twelfth—To provide for the cleansing and purification of waters, water courses and canals, and the draining or filling of ponds on private property, whenever necessary to prevent or abate nuisances.

(Vaults, sewers, gutters, cisterns, etc.)

Twenty-seventh—To regulate the construction, repairs, and use of vaults, cisterns, areas, hydrants, pumps, sewers and gutters.

(Nuisance.)

Forty-fifth—To declare what shall be a nuisance and to abate the same and to impose fines upon parties who may create, continue or suffer nuisances to exist.

(Board of health.)

Forty-sixth—To appoint a board of health and prescribe its powers and duties.

(Public health.)

Forty-eighth—To do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease.

(Slaughter houses.)

Fifty-first—To direct the location and regulate the management and construction of slaughter houses, packing houses, renderies, tallow candleries, bone factories, soap factories, tanneries and dairies, within the limits of the city or town, or within the distance of one mile without the city or town limits.

(Livery stable, etc.)

Fifty-second—To direct the location and regulate the use and construction of breweries, distilleries, livery stables, blacksmith shops and foundries, within the limits of the city or town.

(Offensive business.)

Fifty-third—To prohibit within, or within one mile beyond the outer limits of the city or town any offensive or unwholesome business or establishment and also to prohibit the carrying on of any business or establishment in an offensive and unwholesome manner, within or within one mile beyond the outer limits of the city or town.

(Unwholesome places.)

Fifty-fourth—To compel the owner of any grocery, cellar, soap or tallow candlery, tannery, stable, pig sty, privy or sewer, or other unwholesome or nauseous house or place to cleanse, abate or remove the same, and to regulate the location thereof.

(Water works, etc.)

Sixty-seventh—The city council of cities and board of trustees of towns shall have power to purchase or erect water works, gas works or

electric light works; or to authorize the erection of the same by others; but no such works shall be erected or authorized until a majority of the voters of the city or town who are taxpayers under the law voting on the question at a general or special election, by vote approve the same. All such works hereafter so authorized by any city or town to be erected by others or the franchise of which shall be extended or renewed, shall be authorized, extended or renewed upon the express condition that such municipality shall at any time have the right and power to purchase or condemn any such works at its actual cash value, and at a price excluding all value of the franchise or right of way through the streets, and also excluding any value by virtue of any contract for hydrant or private rental or otherwise entered into with the municipality in excess of the actual value of the works; Provided, That nothing herein shall authorize the condemnation of any such works within twenty years after their original erection or construction, except at periods of ten and fifteen years after granting the franchise therefor.

(Water works outside limits.)

Sixty-eighth—They shall have power to construct or authorize the construction of such water works, without their limits, and for the purpose of maintaining and protecting the same from injury and the water from pollution, their jurisdiction shall extend over the territory occupied by such works, and all reservoirs, streams, trenches, pipes and drains, used in and necessary for the construction, maintenance and operation of the same, and over the stream or source from which the water is taken, for five miles above the point from which it is taken; and to enact all ordinances and regulations necessary to carry the power herein conferred into effect.

Note: This section has been upheld by the Supreme Court in the case of *Durango v. Chapman*, 47 Colo. 149. The defendant, Chapman, had a slaughter house and pig sty at some place within five miles above the point where the water supply of the city was diverted. He was prosecuted for the violation of an ordinance of the City of Durango which made it a misdemeanor to keep or maintain any pig sty along the banks of the Animas River within five miles of the diversion dam. He attacked the jurisdiction of the city for the reason that another city also diverted its water in the same district, and he urged that both cities could not have jurisdiction over the same territory. The Supreme Court held that the City of Durango did have jurisdiction and could pass an ordinance protecting its water supply, and that, had the other city a similar ordinance, he could be prosecuted by both cities.

(Private water works, etc.)

Sixty-ninth—When the right to build and operate such water, gas or electric light works is granted to private individuals or incorporated companies by said cities and towns, they may make such grant to inure for a term of not more than twenty-five (25) years, and authorize such individuals or company to charge and collect from each person supplied by them with water or gas or electric lights such water or gas or electric light rent

as may be agreed upon between said person or corporation so building said works and said city or town; and such cities or towns are authorized and empowered to enter into a contract with the individual or company constructing said works to supply said city or town with water for fire purposes, and for such other purposes as may be necessary for the health and safety thereof; and also with gas and electric light, and to pay therefor such sum or sums as may be agreed upon between said contracting parties.

(Condemn private property for water works, etc.)

Seventieth—Said cities or towns are hereby authorized to condemn and appropriate so much private property as shall be necessary for the construction and operation of said water, gas or electric light works in such manner as may be prescribed by law. Said cities or towns shall also have the power to condemn and appropriate any water, gas or electric light works not owned by such city or town, in such manner as is or may be prescribed by law for the condemnation of real estate.

(Assessment for water, etc.)

Seventy-first—All cities and incorporated towns constructing such water, gas or electric light works are authorized to assess from time to time, in such manner as they shall deem equitable upon each tenement or other place supplied with water, gas or electric light such water, gas or electric light rent as may be agreed upon by the council or trustees; and gas should be charged for by the foot and electric light by the k.w.h. and then only to such as use them; and at the regular time of levying taxes in each year, said city or town is hereby empowered to levy and cause to be collected in addition to the other taxes authorized to be levied a special tax on taxable property in said city or town; which tax with the water or gas or electric light rents hereby authorized, shall be sufficient to pay the expenses of running, repairing and operating such works, and if the right to build, maintain and operate such works is granted to private individuals or incorporated companies by such cities or towns, and said cities or towns shall contract with said individuals or companies for the supply of water, gas or electric light for any purpose, such city or town shall levy each year and cause to be collected a special tax as provided for above, sufficient to pay off such water or gas or electric light rents so agreed to be paid to said individuals or company constructing said works; Provided, however, That said last mentioned tax shall not exceed the sum of three (3) mills on the dollar for any one year.

(Public wells, etc.)

Seventy-second—They shall have power to construct public wells, cisterns and reservoirs in the streets and other public and private places within the city or town, or beyond the limits thereof, for the purpose of supplying the same with water: to provide proper pumps and conducting pipes or ditches; to regulate the distribution of water for irrigating and other purposes, and to levy an equitable and just tax upon all consumers of water for the purpose of defraying the expense of such improvements.

(May take water, eminent domain, etc.)

Seventy-third—They shall have the right and privilege of taking water in sufficient quantity, for the purpose hereinbefore mentioned, from any stream, creek, gulch or spring in the state; Provided, That if the taking of such water in such quantity shall materially interfere with or impair the vested right of any person or persons or corporation, heretofore acquired, residing upon such creek, gulch or stream, or doing any milling or manufacturing business thereon, they shall first obtain the consent of such person or persons or corporation, or acquire the right of domain, by condemnation, as prescribed by the constitution and laws upon that subject, and make full compensation or satisfaction for all the damages thereby occasioned to such person or persons or corporation.

(Taking private property.)

Seventy-fourth—When it shall be deemed necessary by any municipal corporation to enter upon or take private property for any of the above uses, the same shall be examined, appraised and the damages thereon assessed, and the proceedings in connection therewith shall be in all respects the same as is now or may hereafter be provided by general law for the taking of private property for public or private use.

Sec. 11. Council may dispose of water works, etc. The city council of cities, and the board of trustees in towns, shall have the following additional powers, by ordinance:

First—To sell and dispose of water works, ditches, gas works, public buildings, and other real property owned by the municipality: Provided, That the question of said sale, and the price to be paid for said property and other terms thereof, shall first be submitted to and ratified by a two-thirds vote of the qualified property electors of the city or town, as shall, in the year next preceding, have paid a property tax therein, which vote shall be by ballot deposited in a separate ballot box, at a regular election of officers for the city or town, or at a special election to be called in the manner provided by law for the purpose of submitting such question.

Sec. 22. Supply water to outside consumers. The incorporated towns and cities of the State of Colorado are hereby empowered to supply water from their water systems to consumers outside of the corporate limits of the said cities and towns; and to collect therefor such charges and upon such conditions and limitations as said towns and cities may impose by ordinance.

II. CITIES OF THE FIRST CLASS

(Population 15,000 or More)

Sec. 69. City council—Powers. (Part.) That the city council in cities of the first class shall have the following additional powers, to-wit:

(System of sewerage.)

Sixth—To establish a system of sewerage, and for that purpose to divide the city into districts and to impose a special tax upon private property in such district to defray the cost of constructing district sewers, to-wit: sewers, connecting with the public sewer or some natural drainage;

also to compel the owners of any or all houses to connect the same with such district sewer.

III. CITIES OF THE SECOND CLASS

Sec. 85. Sewers—Petition for construction—Construction by council.

Whenever the owners of the majority of the frontage of the lots or lands adjacent to or abutting upon any street or alley or designated portion thereof shall petition the city council in writing to construct a sewer in said street or alley, or require sidewalks to be constructed along said street, or to grade or gravel or otherwise surface said street or alley or designated portion thereof, it shall be the duty of said city council to order said improvement to be made and to assess the cost of said improvement against the lots or lands adjacent to or abutting upon said street or alley so improved, and to collect the same, as herein provided.

And whenever the city council deems it necessary that any sewer should be constructed, it shall construct the same and assess the costs thereof against the adjacent property, and collect the same as herein provided, and whenever the city council deems it necessary that any portion of a sidewalk, curb and gutter be constructed or repaired, it may, on its own motion, order the same to be done, and if not constructed by the owner upon notice the city may construct or repair the same and assess the costs thereof against the adjacent property owner and collect the same as herein provided.

Sec. 86. Assessments not paid, how collected. When the cost of any improvement herein provided for shall be assessed against the owner or owners of adjacent or abutting property, and the same shall not be paid within thirty days, the city clerk shall certify said assessment to the treasurer of the county, who shall extend said assessment upon his tax roll and collect the same in the same manner as other taxes assessed upon said property.

IV. CITIES OF FIRST AND SECOND CLASSES

Sec. 375. Control park grounds outside limits. (Part.) Such city or city and county shall also have like power and jurisdiction to prevent from pollution the water in all reservoirs, streams and pipes which may be included within any such park, parkways, boulevards or roads, and over the stream or source from which such water is taken as far as ten miles above the point from which it is diverted.

V. CITIES OF THE SECOND CLASS AND INCORPORATED TOWNS

Sec. 89. Powers of council and board of trustees. (Part.) That the city council in cities of the second class, and towns and boards of trustees of towns, shall have the following additional powers, to-wit:

(System of sewerage.)

Seventh—To establish a system of sewerage, and for that purpose to divide the city into districts, and to impose a special assessment or tax to defray the expense of constructing such sewers upon private property

within such district, or upon the lot or lots or lands adjacent to or abutting upon the street or alley where said sewer is laid; and to compel the owner or owners of any and all buildings located in said district, and on blocks abutting on any established sewer, to connect with such sewer, and to prohibit the keeping or maintaining of any vault, closet, privy or cesspool within said district or within four hundred feet of any established sewer: also to regulate the construction, maintenance and use of all vaults, closets, privies and cesspools within the city limits and not within said prohibited districts or proximity to an established sewer.

(Regulate water supply.)

Tenth—To regulate the water supply used in said city for domestic or household purposes, and to prohibit and condemn the use of any and all surface wells, and the waters thereof, for domestic or household purposes, whenever the same shall be found injurious to the health of said city or of the inhabitants thereof.

VI. INCORPORATED TOWNS

Sec. 110. Construction of water mains by citizens. That whenever any incorporated town in the State of Colorado shall be the owner of a municipal water plant with water mains and in operation throughout the greater portion of said town and shall feel themselves at the time being unable to extend the same so as to cover the entire area contained within the corporate limits of said town, the citizens and resident taxpayers of any area containing four blocks or over situated in said incorporated town not having water mains therein may agree among themselves or a majority of the owners of the lots therein for the construction of the same and upon application to the board of trustees of said town by a majority of such owners the board of trustees shall have authority to enter into a contract with said citizens the owner or owners of said four blocks or over or with the majority thereof, to allow them to construct such water mains in such territory and to connect the same with the supply of water of said town; and the said town board shall have authority to enter into a contract with such citizens to allow all the proceeds derived from water rentals going to such addition through such water mains and collected as rental therefor to be applied to the payment of such water pipes, the cost thereof to be limited by the town to not to exceed the actual cost thereof upon any basis which the town itself could secure the construction of the same. Said payments to be made without interest and upon such terms not exceeding ten years as may be agreed upon by contract between the parties thereto.

Sec. 111 Petition to construct mains, etc. (Part.) That for the purpose of carrying the provisions of this act into effect the owner or owners of four blocks or over, situated in any incorporated town in this state, owning its own municipal water plant, which has not been supplied with water mains shall present a petition to the board of trustees of the town offering therein to construct such water mains and pipes in the streets and alleys of said town in such manner and at such places and of such sizes as the said town board may require, and at a cost to said town as low as the same could be constructed by said incorporated town.

EXTRACTS FROM ACT RELATING TO LOCAL IMPROVEMENTS IN CITIES AND TOWNS**(Colorado Statutes Annotated 1935, Chapter 138)**

Sec. 65. Power of city to make local improvements. It shall be lawful for any city of any class in this state, whether organized under general laws or operating under a special charter, and any incorporated town, to construct any of the local improvements hereinafter mentioned and to assess the cost thereof, wholly or in part, upon the property especially benefited by such improvements, as hereinafter provided. The improvements shall be authorized by ordinance duly adopted and shall be constructed under the direction of the city or town engineer or other officer having similar duties, or under the direction of the city council or board of trustees, in accordance with plans and specifications adopted by the city council or board of trustees of such city or town. The city council in cities and the board of trustees in towns, are hereinafter referred to and designated as the ordering authority unless the context otherwise requires.

Sec. 66. What improvements can be made—Conditions. The improvements hereby authorized may consist of grading, paving, curbing, guttering, parking or otherwise improving the whole or any part or parts of any street or streets, alley or alleys, or streets and alleys in such city or incorporated town, or any one or more of said improvements, including the reconstruction, replacement, renewal or extension of the same; and in case of grading only, or grading and curbing only, the improvements may include the necessary cross walks; and thereafter, under the conditions herein prescribed, such further grading may be done as may be necessary in paving, repaving or otherwise improving the same area. Said improvements may also consist of any local improvement (and renewals or extensions thereof) which benefits the land abutting on such improvements, such as sidewalks, water mains or the necessary construction and appliances for the installation of a system of artificial lighting. Said improvements may also consist of the construction of sewers, sewage disposal works and renewals or extensions thereof, and such other public works as may be considered necessary and authorized by the city council or board of trustees; provided:

First—No improvement, except sidewalks, water mains, sewers and sewage disposal works and their appurtenances, shall be ordered under this act, unless a petition for the same is first presented, subscribed by the owners of a majority of the frontage directly abutting on that portion of the street to be improved, and except as specified herein, nothing in this Act shall restrict the right of such majority from securing any particular kind or variety of improvements petitioned for. In any case where a proposed improvement district includes two or more non-contiguous parts or sections, the owners of a majority of the property in each non-contiguous section shall petition as specified in this Act.

Fourth—The ordering authority shall encourage competition, by advertising for and receiving bids for such construction as hereinafter provided, and shall, so far as possible within the limits of the petition, describe all materials by standard or quality in the specifications.

Fifth—Before contracting for or ordering any work to be constructed,

a preliminary order shall be made by the ordering authority, adopting full details and specifications in conformity with petition for the same, definitely describing the materials to be used, or stating that one of several specified materials shall be chosen, determining the number of installments and time in which the cost of the improvement shall be payable, the rate of interest to be paid on unpaid and deferred installments, and the property to be assessed for the same, as in this Act provided, and requiring an estimate of the cost to be made by the city or town engineer or any similar officer or employe, together with a map of the district in which the improvement is to be made, and a schedule showing the approximate amounts to be assessed upon the several lots or parcels of property within the district; and no contracts shall be let for any amounts exceeding the estimate so made, except that the cost of collection, inspection, incidentals and interest may be added thereto as hereinafter provided.

Sixth—The city or town clerk shall, by advertisement once a week for three consecutive weeks in a newspaper of general circulation in such city or town, give notice to the owners of the property to be assessed, (1) of the kind of improvements proposed, (2) the number of installments, (3) the time in which the cost will be payable, (4) the rate of interest to be paid on unpaid and deferred installments, (5) the extent of the district to be improved, (6) the probable cost per front foot, or in case of sewers, per square foot of district area, as shown by the estimates of the engineer, (7) the time, not less than twenty days after the first publication, when an ordinance authorizing the improvements will be considered, (8) that said map and estimate and schedule showing the approximate amounts to be assessed, and all resolutions and proceedings are on file and can be seen and examined by any person interested at the office of the city or town clerk, or other designated place, at any time within said period of twenty days, and (9) that all complaints and objections that may be made in writing concerning the proposed improvement by the owner or owners of any real estate to be assessed, will be heard and determined by the ordering authority before final action thereon.

Seventh—The finding by ordinance or resolution of the city council or board of trustees that said improvements were duly ordered after notice duly given, and after hearing duly held, and that such petition was presented, as above provided, and that said petition was subscribed by the required number of owners aforesaid, shall be conclusive of the facts so stated, in every court or other tribunal.

Eighth—Any resolution or order in the premises may be modified, confirmed or rescinded at any time prior to the passage of the ordinance authorizing the improvements.

Tenth—If before any such improvements are made, any piece of real estate or any railway company to be assessed already has an improvement conforming to the general plan, or satisfactory to the ordering authority, an allowance therefor may be made to the owner and such allowance may be deducted from the owner's assessment and from the contract price.

Sec. 67. Construction of sidewalks, water mains, or sewers. In ordering the construction of sidewalks, water mains or sewers, the proceeding shall be as required in the fourth, fifth, sixth, seventh, eighth and tenth

provisos of the last preceding section, but shall not be subject to the first, second, third and ninth provisos of said section.

Sec. 73. City or town may establish sewer districts. Any city or incorporated town may establish and maintain sewer systems and sewage disposal plants for sanitary or storm drainage.

Sec. 74. Establishment of district sanitary sewers—Contracts—Contiguous towns may unite in construction. Whenever the ordering authority shall declare the same as necessary for sanitary reasons, it may order the construction of district sanitary sewers in districts to be prescribed by ordinance, so as to connect with any public or district sewer, or with some natural drainage or disposal plant; and such districts may by like authority be divided into sub-districts or enlarged, diminished or otherwise altered by ordinance at any time, in accordance with the provisions of this Act. The contract for district sewers may include all necessary manholes, inlets and appurtenances, and such mains of such reasonable extent outside the district as may be necessary to connect the district with a public sewer or some natural drainage or disposal plant. Any contiguous towns or cities may unite in the construction of a common sewer or sewers or cooperate in such construction or extend to each other the right to use any sewer constructed or to be constructed, when such use may be deemed necessary to either for the discharge of its sewage, and such cooperation, common construction or use shall be upon such terms as regards the apportionment of cost as may be agreed upon between the councils or board of trustees of such contiguous municipalities.

Sec. 75. Private sewers—How constructed. Private sanitary sewers connecting with public or district sanitary sewers may be constructed under such restrictions and subject to such regulations as may be prescribed by ordinance; but no expense shall be incurred by the city or town in constructing or maintaining private sewers; and the owner of any premises in any sewer district may be compelled by ordinance to connect the same with the district sewer at his own expense.

Sec. 76. Cost assessed in proportion to area. The cost of any district sanitary sewer, including inlets, manholes, connecting mains and appurtenances, with interest, as hereinafter provided, may be assessed by ordinance upon all the real estate in the district, in proportion as the area of each piece of real estate is to the area of all real estate in the district, exclusive of public highways.

Sec. 79. Sub-districts—May be ordered in sewer districts. At the time of ordering the construction of district sanitary or storm sewers, or at any time or times thereafter, the construction may, in like manner, be ordered in sub-districts in such manner as to connect the sub-districts or such part or parts thereof, with the district sanitary or storm sewer for the purpose of sanitary or storm drainage. The cost of sub-district sanitary or storm sewers in each sub-district or part thereof, with the appurtenances, may be assessed upon all the land in the sub-district or in the part improved, in proportion as the area of each piece of land in the sub-district, or in part improved, is to the area of all the land in the sub-district, or in the part improved, exclusive of public highways. Combined sewers for sanitary and storm drainage may be authorized and constructed in the same

manner as hereinabove provided for the construction for sanitary or storm sewers, and the cost thereof assessed in the same manner and proportion.

EXTRACT FROM LAWS RELATING TO DOMESTIC WATER WORKS DISTRICTS

(Colorado Statutes Annotated 1935, Chapter 174)

Section 1. Domestic water works districts. Whenever a majority of the resident freeholders owning lands in any district, outside of incorporated towns and cities, desire to provide for a domestic water supply, and water works, they may propose the organization of a domestic water works district outside of incorporated towns or cities under the provisions of this Act, and when so organized, each district shall have the powers conferred or that may hereafter be conferred by law upon such domestic water works district.

EXTRACTS FROM LAWS RELATING TO EMINENT DOMAIN

(Colorado Statutes Annotated 1935, Chapter 61)

Sec. 2. Petition to assess, compensation—Contents—Parties. (Part.) Under the provisions of this Act, private property may be taken for private use, for private ways of necessity, for reservoirs, drains, flumes or ditches, on or across the lands of others for agricultural, mining, milling, domestic or sanitary purposes.

(Colorado Statutes Annotated 1935, Chapter 163)

Sec. 140. Eminent domain beyond limits for sewage disposal works, etc. Cities and towns are hereby granted the power of eminent domain both within and beyond their corporate limits, for the purpose of constructing or installing storm or sanitary sewers, septic tanks or disposal works, such power to be exercised in the manner prescribed by law; Provided, however, That nothing contained herein shall authorize the pollution or contamination of any public river, stream or water.

LAWS RELATING TO STREAM POLLUTION

(Colorado Statutes Annotated 1935, Chapter 48)

Sec. 257. Highway—Obstructing—Polluting water course, lake, sewer—Penalty. If any person shall obstruct or injure or cause or procure to be obstructed or injured, any public road or highway or common street or alley of any town or village, or any public bridge or causeway, or public river or stream, declared navigable by law, or shall continue such obstruction so as to render the same inconvenient or dangerous to pass, or shall erect or establish any offensive trade or manufacture or business, or continue the same after it has been erected or established, or shall in any wise pollute or obstruct any water course, lake, pond, marsh or common sewer, or continue such obstruction or pollution, so as to render the same offensive or unwholesome to the county, town, village or neighborhood thereabouts; every person so offending shall, upon conviction thereof, be fined not exceeding three hundred dollars; and every such nuisance may, by order of the district court before whom the conviction may take place, be removed and abated by the sheriff of the proper county, and any inquest and judgment thereon had under the provisions of any law authorizing a writ of ad quod damnum shall be no bar to a prosecution under this section.

Sec. 258. Polluting streams—Penalty. If any person or persons shall hereafter throw or discharge into any stream of running water, or into any ditch or flume in this state, any obnoxious substance, such as refuse matter from slaughter house or privy, or slops from eating houses or saloons, or any other fleshy or vegetable matter which is subject to decay in the water, such person or persons shall upon conviction thereof, be punished by a fine not less than one hundred dollars nor more than five hundred dollars for each and every offense so committed.

Sec. 259. Unlawful to flow oil into stream—Penalty. If any person or persons, corporation or corporations shall hereafter empty or cause to be emptied, or allow the emptying or flowing of oil, petroleum or other oleaginous substance into any of the waters of this state, or deposit or cause the same to be deposited at such distance that the same may be carried into such waters by natural causes, such person or persons, corporation or corporations, so offending shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or imprisonment in the county jail not exceeding six months, or both such fine and imprisonment for each such offense.

(Colorado Statutes Annotated 1935, Chapter 53)

Sec. 4. Unlawful to defile waters of Platte river and Bear creek. It shall be unlawful for any person to deposit into the channels of the South Platte river or Bear creek, or any of their tributaries above the mouth of Clear creek, or between or upon the banks of said streams, any unwholesome matter or substance whatever tending to the defilement or pollution of the water of said streams, or to allow the drainage from any sewer, drain or cesspool to drain into or percolate into said streams, or their tributaries, or any of them, or to permit any dead animal or decaying vegetable matter to be placed or left within a distance of three hundred (300) feet of the banks of any said streams, or their tributaries, or to do any other act or thing whereby the water of said streams might become polluted or unfit or unwholesome for human consumption; Provided, That the disturbances of water by placer mining or tailings from ore reduction mills flowing into any of said streams or tributaries shall not be construed as defilement or pollution of the water thereof.

Sec. 5. City of Denver given jurisdiction over streams. The city and county of Denver is hereby given jurisdiction over said streams to protect their purity under Section 1 of this Act, and is hereby authorized to provide by ordinance for the patrol of said streams and for the punishment of offenders against the provisions of this Act.

Sec. 9. Obstructions or pollutions. The city council of the city and county of Denver may, and said council is hereby empowered, to enact and adopt ordinances for the purpose of preventing and removing obstructions in said channel (*S. Platte river within the city and county of Denver*), or encroachments upon the same or polluting the waters thereof, and to in every manner control, regulate and protect said property, when improved in whole or in part as herein provided for, and provide for a penalty for the violation of any or all of said ordinances.

REGULATIONS

REGULATIONS RELATING TO SANITARY ENGINEERING PUBLIC WATER SUPPLIES, WATER PURIFICATION PLANTS, SEWER SYSTEMS AND SEWAGE TREATMENT PLANTS

Rule 1. Definitions. For the purposes of rules 1 to 13 inclusive, the terms used are defined as follows:

“Water supply”—all sources and their surroundings from which water is derived for drinking or domestic use by the public, also all structures, conduits and appurtenances by means of which water for such use is stored or delivered to consumers, except service pipes from street mains to buildings and plumbing within or in connection with buildings served.

“Water purification plants”—all plants for treating water for drinking or domestic use by the public, by means of sedimentation, coagulation, filtration, sterilization or any other process or combination of such processes.

“Sewage”—the water-carried waste products or discharges from human beings or animals, or chemicals or other wastes from residences, public or private buildings, swimming pools or industrial establishments.

“Sewer systems”—all structures, conduits and pipe lines by which sewage is collected, transported and discharged except plumbing within and in connection with buildings and service pipes from buildings to street sewers.

“Sewage treatment plants”—all plants which treat or were designed to treat sewage, by changing the nature of or removing any of its constituents, before final disposal into any of the waters, or upon any of the lands of the state.

“Waters of the state”—all lakes, rivers, streams, ponds, springs, wells and other bodies of surface or ground water, natural or artificial, within the state or its jurisdiction.

“Owner”—the state, county, city, town, village, corporation, firm, company, institution, person or persons owning any water supply, water purification plant, sewer system or sewage treatment plant.

Rule 2. Quality of water. No water shall be furnished to the public for domestic use containing or likely to contain bacteriological, biological, chemical or physical impurities which have an injurious effect upon health. The source, treatment, distribution and quality of the water shall be satisfactory to the State Board of Health according to sanitation surveys and laboratory examinations.

Rule 3. Disposal of sewage. No sewage shall be placed or discharged or permitted to flow into any of the waters or upon any of the lands of the state in any manner determined by the Board to be unreasonably and injuriously affecting a public water supply or causing a nuisance, or considered by the Board likely to have an unreasonable and injurious effect upon a public water supply or to cause a nuisance.

Rule 4. Descriptions of existing water and sewage works. At the request of the Board, every owner of an existing public water supply, water purification plant, sewer system or sewage treatment plant shall submit an accurate description of such water or sewage works, including such information as is specified in the request.

Rule 5. Plans and specifications for new water or sewage works, extensions, alterations. No municipality, district, corporation, company, institution, person or persons shall install or enter into contract for installing a water supply, water purification plant, sewer system or sewage treatment plant to serve more than 25 persons until complete plans and specifications fully describing such water or sewage works have been submitted to and have received the written approval of the State Board of Health and thereafter such plans and specifications must be substantially adhered to unless deviations are submitted to and receive the written approval of the State Board of Health.

No municipality, district, corporation, company, institution, person or persons shall make or enter into contract for making any additions to, or changes or alterations in, any existing water supply or water purification plant serving more than 25 persons, when such additions, changes or alterations involve the source of supply or means for collecting, storing or treating the water, or any changes in or additions to any sewer system or sewage treatment plant serving more than 25 persons, until complete plans and specifications fully describing such proposed additions, changes or alterations have been submitted to and have received the written approval of the State Board of Health, and thereafter such plans and specifications must be substantially adhered to unless deviations are submitted to and receive the written approval of the State Board of Health.

Upon application, accompanied by an outline of any proposed new water supply, water purification plant, sewer system or sewage treatment plant, or any change in any such existing water or sewage works, the general requirements which will meet the approval of the Board will be outlined. Preliminary or incomplete plans may be submitted for approval and recommendations, if accompanied by a statement outlining omitted portion, detail plans for which shall be submitted before final approval.

All plans and specifications shall be submitted in duplicate, one copy to be retained on file by the Board and one returned to the owner. Plans shall be approved as to structural, mechanical and electrical features by registered engineers before being submitted for approval by the Board.

The plans and specifications shall include an engineer's report, general plans, detailed plans and specifications.

The engineer's report and the specifications shall either be typewritten on letter or legal size sheets or printed in convenient pamphlets, and shall be neatly bound in either case.

Plans shall be drawn to suitable scales and shall not be larger than can be conveniently handled. They shall consist of sketches or prints upon a medium or light-weight, high-grade paper that will neither crack when folded nor tear with reasonable usage, or upon cloth, unless otherwise requested by the Board. The scale in feet to which the plans are drawn, the north point, the date and the names of the designer and owner

shall in all cases be indicated. All plans shall be made by persons skilled in drafting.

Plans for modifications or extensions to existing systems or plants shall indicate clearly the connection or relation thereto, and, if not already on file with the Board, submittal of plans of the existing system or plant also may be required.

The engineer's report for water works shall cover the following:

(a) **Water Consumption:** State the present and estimated population twenty-five years hence for municipalities; for institutions the present and estimated ultimate capacity. Any special conditions that might affect the growth of the municipality or institution; also any industrial activities that may affect the requirements of the water supply should be discussed. Give estimate of the daily total and per capita consumption, both for present and future population.

(b) **The Source of Supply:** If samples of the water can be obtained, results of chemical and bacteriological analyses shall be included, otherwise the probable character of the water shall be discussed, basing conclusions on analyses or other available information regarding water from similar sources.

If a surface supply, the area, population, and a description of the tributary watershed shall be given. All possible sources of pollution, topographical and geographical features of the watershed, and other conditions that might in any way affect the quality or quantity of the supply shall be discussed in detail.

If the source is ground water, give details regarding the number, depth and character of the wells, springs, infiltration galleries, etc., and definite information regarding the various strata. State whether the source is ever subject to flooding and describe methods of protecting against contamination.

(c) **Purification:** State reasons for adopting the method of purification outlined, specifying any experimental work done. Describe completely any special appliances.

(d) **Pumping Equipment:** The number, type, size and capacity of the pumps to be installed and type of power shall be given. Discuss clearly any special features and method of connecting the pumps with the wells, suction lines and other parts of the system.

(e) **Distribution System:** State the class, weight and amount of the various sizes of pipe and describe any special features.

(f) **Storage:** Give amount and location of the storage available, both before and after purification, together with details regarding its effect upon the quality of the water.

(g) **Fire Protection:** Discuss adequacy of fire protection with regard to capacity and pressure.

(h) **Cost:** Give estimated cost of integral parts of the system, both for complete design and original installation.

The engineer's report for sewage works shall cover the following:

(a) **Sewage Flow:** State the present and estimated population for municipalities twenty-five years hence, and for institutions the present and ultimate capacity. Estimate the amount of domestic sewage, ground

water, industrial waste, etc., that the system or various parts thereof may have to care for, both for present and future needs.

(b) Source of Water Supply: Give location of intake or wells, etc., also approximate maximum, minimum and average daily water consumption if public supply is already in use.

(c) Extent of System: State extent to which plans provide sewerage facilities, both for initial installation and future development.

(d) Industrial Waste: Give character of industrial wastes inasmuch as they may affect the sewerage system.

(e) Special Features: Discuss low grades, special devices, etc.

(f) Type of Purification: Discuss type both for present and future needs, and reasons for adopting the proposed method.

(g) Soil: State probable character of soil or strata through which the sewers are to be laid and portion of the system that will be below normal ground water level.

(h) Cost: Give estimated cost of integral parts of system, both for the complete design and original installation.

(i) Outfall: Describe the stream or body of water into which the final effluent is to discharge. If a stream, give width, depth and estimated minimum flow. State what its water is used for below the outlet, and whether there are any special conditions, such as a dam, that will affect the flow. If a lake, give approximate area, also depth in vicinity of the outfall.

The general and detailed plans and specifications shall clearly, completely and definitely indicate and specify all features of the proposed water or sewage works in sufficient detail to permit proper construction.

Rule 6. General requirements for design of sewage works. In general, in the design and construction of water and sewage works, approved modern practice shall be followed. In case new appliances or methods are adopted, sufficient data based upon practical application, experimental or otherwise, shall be submitted to show that satisfactory results can be secured.

Water and sewage works shall be designed to provide amply for the probable population at least twenty-five years hence, except in considering parts of systems that can be readily increased in capacity. Similar consideration shall be given to the ultimate capacity of institutions.

All materials of construction shall be of approved quality, quantity and proportion. A registered engineer shall be responsible for the design of all water and sewage works construction.

SEWAGE TREATMENT WORKS

General Comments:

(a) Degree of Treatment. The discharge, character, and usage of the outlet stream will govern the degree of treatment required for each specific problem. In general, complete treatment will be necessary, with effluent chlorination in some cases, to afford additional protection in streams used for recreation. Primary treatment will be considered in a very few instances on the larger streams where the usage is such that

rigid pollution requirements are not necessary at this time. A provisional permit will be granted for such installations.

Delay and misunderstanding will be avoided if the engineer will contact this office relative to the degree of treatment required for any specific location before commencing a design.

(b) Type of Treatment. The importance of careful studies upon which to base the choice of treatment units cannot be overemphasized. Topography, industrial wastes, power costs, plant location, and probable character of operation supervision are some of the important factors to be given consideration in choosing the type of treatment units. In the past, unwise selection of the type of treatment has resulted in the installation of plants requiring operation expenditures beyond the financing ability of some small municipalities.

(c) Tests of completed plants to determine the operating efficiency will be supervised by the Division of Sanitary Engineering at the request of the engineer and municipality and, in some cases, the collection of samples and tests will be conducted by the personnel of that division. The manufacturer of the equipment should be required to supervise operation of the plant during the test period and to instruct the operating personnel in the maintenance and proper use of the equipment.

(d) Cross Connections. No piping or other connections should exist in any part of the treatment works which under any conditions might cause the contamination of a drinking water supply.

(e) Sewage Flow Measurement. Equipment for measuring and recording the volume of sewage coming to the treatment works is essential for the intelligent and economical operation of the plant and for the maintenance of complete records.

(f) By-passes. Properly located and arranged by-pass structures are essential to the intelligent operation of any sewage treatment works. It should be possible to by-pass any major plant unit while maintaining other units in service.

Overflow by-passes are usually necessary ahead of:

(1) The first treatment unit; (2) pumps; (3) the secondary treatment units, especially where secondary treatment is by activated sludge. Raw sewage by-pass should preferably take place after screening.

(g) Drains. It should be possible to completely drain each unit (except Imhoff tanks, and sludge digestion tanks in some cases) by gravity or pumping.

(h) Fences, Railings, Walkways. Enclosure of the plant by a suitable fence will afford protection against vandalism, and accident or loss of life to trespassers. Handrails should be provided around all open tanks where there is possibility of accidents to plant personnel or visitors.

Conveniently located walkways of adequate width will encourage proper maintenance of units requiring frequent skimming or similar attention.

(i) Construction Materials, Paints. Nearly all parts of sewage treatment structures are subjected to unusual corrosive action due to the presence of hydrogen sulfide, gases, and similar corrosive agents. Ac-

cordingly, judgment is required in the selection of construction materials and development of paint specifications.

(j) **Laboratory Equipment.** A suitably equipped laboratory is a requisite to efficient operation control and adequate records at sewage works. Obviously, the laboratory facilities needed depend upon the type and size of the plant and itemized lists of equipment for various classes of plants are available upon request.

Sewage Pumps:

(a) Sewage pumps should always be protected against screenable objects by means of bar or basket screens, shredding devices, or piping arrangements permitting by-pass of large objects around the pump. Where screens are located in deep pits, the arrangement for handling screenings should not require such unpleasant and arduous manual labor that proper attention by maintenance personnel will be discouraged. Provision shall be made for grit removal.

Imhoff Tanks:

(a) **Settling Channels.** Based on the average design flow, the retention period when secondary treatment is by sand or trickling filters should be at least 2 hours. When preceding activated sludge units, a retention period of 1.5 hours is adequate.

Inlets and outlets should be arranged to effectively develop the full area of channels. Flow distribution baffles at inlets and scum baffles at outlets should be adjustable. Provision for reversal of flow is necessary in long tanks. Walkways should be provided so that the operator may safely and conveniently carry on skimming and scum control operations.

The walls converging to the slot should have a minimum slope of 1 vertical to 1 horizontal and the slot opening should be about 8 inches with an overlap of 6 inches.

(b) **Sludge Digestion Compartment.** The sludge volume shall be computed 18 inches below the uppermost point at which the full overlap at the slot is effective.

At least 3 cubic feet per capita of sludge storage capacity shall be provided for the design population. Secondary treatment is by trickling or intermittent sand filters.

Sludge hopper floors should be sloped at least 1.5 horizontal to 1 vertical. With proper slopes here, flushing rings are not considered necessary and may result in water supply contamination through back-siphonage.

(c) **Gas Vents.** These openings should be at least 24 inches in width and should have an area at least 20 per cent of gross area of sludge digestion compartment.

(d) **Sludge Piping.** Where sludge withdrawal is by gravity, the net, static head on the pipe must be at least 5 feet. Such piping should be 8 inches in diameter and arranged for rodding and draining. Repairs will be facilitated if valves are located outside the tank.

Bends in sludge piping should be minimized insofar as possible and cleanout openings provided for correcting clogging.

(e) **Sludge Digestion Units.** The practice of basing sludge digestion, storage and drying requirements on dependable analyses of the volatile and ash content of the sludge to be handled, is encouraged. Where definite data on the amount and character of sludge is not available, plans are checked on the basis of the following per capita volumes with some modification for large installations:

	Heated Tanks (Cu. ft. per Cap.)	Unheated Tanks (Cu. ft. per Cap.)
Primary Sludge only.....	2.5	3.0
Primary Sludge plus trickling filter humus.....	2.5	4.0
Primary Sludge plus waste activated sludge.....	3.5	6.0

Any sludge digestion or storage unit must be afforded insulation, by an earth embankment or other approved methods, to the overflow elevation. These structures should be located above the ground water level to avoid excessive loss of heat.

Flexible facilities for handling supernatant liquor are essential to good digester operation. Piping should permit withdrawal of supernatant at several levels with a trapped overflow to prevent the discharge of scum. It should also be possible for the operator to inspect the supernatant at several levels in order to determine the best point of withdrawal. Sampling piping furnished for this purpose should be at least 1½ inches in diameter. Supernatant piping should permit optional discharge to the raw sewage sludge drying beds, lagoons, or to secondary treatment influent. Where separate digesters are used to augment Imhoff tanks, supernatant liquor may be discharged to the gas vents of the latter.

The raw sludge feed pipe should discharge to the digester at a vertical distance not less than the radius of the tank from the point of supernatant removal.

Trickling Filters:

(a) **Conventional Type.** It is deemed best that trickling filter sizes be based on the organic matter content of the applied sewage, loadings up to 400 pounds of 5-day B.O.D. per acre foot per day being considered satisfactory. Where representative, dependable analyses are not available for such computations, the filter volume may be based on a design population loading of 3,500 persons per acre foot for strictly domestic sewage. Additional volume is necessary if industrial wastes of consequence are to be received for treatment.

The depth of stone should be not less than 5.5 feet nor greater than 7 feet, unless a greater depth is justified by an exceptionally strong applied sewage.

Filter media must be clean, hard, sound, crushed rock or gravel, free of porous spots and sufficiently durable to withstand 20 cycles of the sodium sulfate soundness test, in accordance with the sampling and laboratory procedures set forth in Manual of Engineering Practice No. 13, American Society of Civil Engineers. The material should be reasonably

uniform in all dimensions. It is believed that 1½ to 2½-inch stone will give effective treatment with a minimum of surface clogging. Specifications should provide that not more than 5% shall pass a 1-inch circular opening. Oversize material may be used to an elevation of not more than 6 inches above the top of the underdrains.

Adequate underdrains of an approved type designed for this usage should be specified, with provision made for ample ventilation throughout the bed.

Fixed spray nozzles, revolving distributors, or other established methods of distribution of sewage over the filter surface, will be considered satisfactory.

(b) High Rate Type. The rate of primary treated sewage effluent on bio-filters shall not exceed 2½ pounds of B.O.D. per day per cubic yard of stone. The depth of stone shall not be less than three (3) feet.

Chemical Precipitations:

(a) Adaptability. It is considered that certain outlet stream conditions justify the seasonal use of chemical precipitants to increase efficiency of primary treatment units. Such chemical precipitants may also be effective in augmenting overloaded treatment units and in preliminary treatment of certain industrial wastes.

(b) Chemicals. The plans and specifications should state the chemical or combination of chemicals which are proposed to be used.

Chemical feed devices should provide for a wide range of dosages to meet variable conditions. Ample chemical storage space, located and arranged for convenient handling of chemicals, should be made available.

(c) Tank Capacities. Provision should be made for rapid mixing of chemicals and sewage at the points of application, followed by gentle agitation or flocculation, the total mixing and flocculation period being at least 2 hours and a surface settling rate of less than 1,000 gallons per day per square foot of surface area, based on the average design flow.

Velocities of flocculated sewage through pipes, channels, and ports should not exceed 0.5 foot per second.

Sludge digestion, storage, and drying requirements will be greater than for primary sludge alone, depending on the period of operation with chemicals. Sufficient data must be submitted by the engineer to indicate the basis for his design consumptions.

Chlorination:

When the effluent from a sewage treatment plant is deposited into an irrigation ditch, or into a stream, from which irrigation water is used to irrigate vegetables, the following chlorination is required:

The final effluent from any treatment plant may be discharged into a chamber which will have a minimum detention period of 20 minutes during maximum daily flows. A residual chlorine of 0.5 p.p.m. must be maintained in this tank at all times.

Rule 7. General requirements for design of water works. A suitable intake properly screened and located shall be provided for surface supplies. Wells, springs, etc., shall be adequately protected from all surface wash. Ground water sources shall be so located that there will be no danger of pollution from insanitary surroundings such as cesspools, privies, sewers, etc., or the water shall be properly sterilized, and if necessary adequate additional treatment.

The pumping equipment shall be divided into two or more units except where ample storage is available to permit necessary repairs without interrupting the service. The capacity shall be ample for fire protection and domestic consumption.

Some modern method of purification, applicable to the needs of the municipality or institution, and adaptable to the water to be treated, shall be provided in connection with all surface supplies. Apparatus for direct, positive and accurate application of chemicals, also adequate mixing devices and sedimentation basins, shall be provided in connection with all mechanical gravity or pressure filters. In each case a careful study should be made of the character of the water and experimental work done, if necessary, to determine the type of purification or treatment adaptable.

Sand shall be practically pure quartz or silica free from dirt or foreign material. The following average rates of filtration shall not be exceeded:

Slow sand filters, 4,000,000 gallons per acre per day.

Purification plants shall be divided into a sufficient number of units to allow for necessary repairs and alterations without interrupting the service or impairing the quality of the water delivered.

Auxiliary intakes, by-passes, or cross connections whereby polluted water may be pumped or allowed to flow into the distribution system of any public supply under any conditions will be prohibited except under the following special conditions:

(a) An existing auxiliary intake or by-pass may be maintained, providing a section of the pipe is removed to be reinserted only in case of emergency. Before reinserting the pipe the consumers shall be notified to boil all water and the Board shall be notified by wire.

(b) In new supplies, auxiliary intakes or by-passes may be permitted by special approval of the Board if satisfactory reasons are set forth as to the necessity therefor, and installation made in accordance with (a) above.

(c) Any existing cross connection may be continued if protected by double check valves equipped with suitable gages, valves, etc., for testing, and on condition that monthly inspections of such equipment are made by the owner of the public supply and results thereof reported to the Board. The Board, however, reserves the right to require the elimination of any cross connection if inspections are not regularly made or if the connection is found faulty. New cross connections are prohibited.

The distribution system shall be constructed of suitable material and provided with sufficient shutoff valves to facilitate operation and repairs. Where practical, dead ends shall be connected so as to provide adequate

circulation of the water. Pipe smaller than 4 inches in diameter shall not be used in municipal systems except for isolated service connections.

The pumping equipment, storage facilities, distribution system and location of hydrants shall be such as will furnish adequate fire protection.

Rule 8. General requirements for design of sewage works. All new sewer systems should be designed as sanitary sewers or on the "separate" plan. In existing systems constructed on the "combined" plan, adequate storm water overflows shall be provided in connection with treatment. Furthermore, future developments and extensions should be constructed as "separate" rather than "combined" systems when practicable. No storm water from streets, roofs, etc., shall be allowed to discharge into sanitary sewers.

All sewers shall be laid to a grade not less than that indicated in the following table, except when necessary because of special conditions, in which case definite reasons therefor shall be given.

Size of pipe	Fall in feet per 100 feet of sewer
6 inches	0.50
8 inches	0.40
10 inches	0.28
12 inches	0.20
15 inches	0.15
18 inches	0.11
20 inches	0.10
24 inches	0.09

Manholes shall be installed at all changes in grade or direction and at distances not greater than 400 feet apart. Lampholes may be used only for special conditions and shall not be substituted for manholes nor installed at the end of laterals greater than 250 feet in length. All sewers shall be laid in true alignment between manholes.

Treatment shall be provided in connection with all new installations, the extent of which will depend upon local conditions. In connection with developing or modifying existing systems where no treatment is now provided, efforts shall be made to so reconstruct the system as to bring the sewage together at points suitable for treatment, which shall be provided as soon as practicable.

Plans for sewage treatment plants will be approved only when the following rates of operation are not exceeded except where special conditions exist, when the Board may permit higher rates and modifications:

Septic Tanks. A detention period of eight hours.

Imhoff or Similar Tanks. (a) In the flowing through or settling chamber, a detention period of not less than 2 hours. (b) In the sludge digestion compartment, a capacity of not less than 1.5 cubic feet per capita computed below a horizontal plane 18 inches below the slot. (c) Gas vent area not less than 10 per cent of total surface area of tank and width not less than 2 feet.

Intermittent Sand Filters. 1,000 persons per acre of area, the filter to have a minimum depth of 3 feet above the under drains.

Treatment plants shall be divided into such a number of units that necessary repairs or alterations can be made without impairing the character of the effluent.

Adequate provision shall be made for the disposal of sludge or screenings in connection with all treatment plants, and in no case will the discharge of sludge or screenings into a stream or watercourse be permitted. Sludge bed areas shall not be less than $\frac{3}{4}$ square foot per capita for Imhoff or other digestion tanks.

No definite requirements are made for the activated sludge, trickling filters, separate sludge digestion or other special processes. Each installation of this character will be considered separately.

Plants shall be of adequate capacity and all by-passes shall be equipped with lock and key.

Rule 9. General requirements for operation of water and sewage works. Because of various local conditions which it is impossible to anticipate, it is impracticable to set forth other than general rules governing the operation of water and sewage works. Every owner, however, will be required to so operate these works as to obtain a reasonably high degree of efficiency at all times. Specific instructions based upon investigations will be given from time to time regarding the operation of individual plants.

A competent person shall be in charge of the operation of every water and sewage works, who shall study the various controlling factors in order that maximum efficiency may be obtained at all times. In case of incompetent supervision or inefficient operation, the Board, after due notice, may require the owner to make such changes as may be considered necessary to obtain proper results.

When chemicals are used in connection with any purification or treatment process, a sufficient quantity of high-grade material shall be kept on hand all times to insure against ineffective operations due to delays in securing these materials.

Suitable analyses shall be made and records kept upon approved forms in connection with the operation of all municipal water purification and sewage treatment plants. Certified reports upon approved forms regarding the operation of all water purification and sewage treatment plants shall be submitted to the Board when requested.

Where existing plants are so constructed that satisfactory results cannot be secured, such alterations may be required as are necessary to secure proper results.

Rule 10. General requirements for operation of water works. All intakes, pumping equipment and distribution system shall be maintained in a proper operating condition at all times. The mains shall be regularly flushed at sufficiently frequent intervals to prevent accumulation of sediment or of stagnant water. All newly installed or repaired water mains shall be thoroughly flushed with water of good quality before any water from them is permitted to reach any consumer, and all mains four inches in diameter or larger shall, following this flushing and before being placed in service, be sterilized by the following or an equivalent method: The main shall be filled completely with water containing at least five parts

per million (41.5 lbs. per million gallons) of chlorine, and after 30 minutes or more of contact with this chlorine water the main shall be drained and again thoroughly flushed with water of good quality.

All sedimentation and storage reservoirs shall be cleaned at sufficiently frequent intervals to prevent such accumulation of sediment as will interfere with the efficient operation of the water works.

Slow sand filters shall be cleaned at such times as may be necessary to secure efficient operation. In general, the "loss of head" should not exceed 5 feet before cleaning. When sand has been removed from the filter so that the remaining depth is less than $1\frac{1}{2}$ feet, the filter bed shall be brought up to its original depth by adding clean sand of a proper size and grade.

In connection with all mechanical filters the water shall receive preliminary treatment consisting of coagulation with or without sedimentation. A sufficient amount of the coagulant shall be applied at all times to secure a satisfactory floc. Before the "loss of head" has reached 10 feet, the filters shall be washed with filtered water until the effluent wash water is reasonably clear. Subsequent to washing, the first filtrate shall be wasted for a sufficient period of time to place the filter again in effective operating condition. Sudden changes in the rate of filtration shall be avoided.

Care must be exercised to prevent caking or cementing of the sand in the filter beds and should this occur, the sand shall be removed and replaced by new sand or the old sand may be screened and returned to the beds.

Where any process of sterilization is used as a method of purification, the plant shall be so operated as to secure effective results at all times. Extra parts or duplicate apparatus shall be kept on hand to avoid unnecessary delays in making repairs. Ortho-tolidine or other effective tests shall be made at regular and frequent intervals to determine residual chlorine, and the results used in governing the chlorine dosage.

Rule 11. General requirements for operation of sewage works. The sewer system shall be kept free from obstructions at all times by the use of flushing or cleaning devices where necessary. It shall otherwise be maintained in a proper condition.

All sewage pumping equipment shall be maintained in an efficient operating condition in order to prevent backing up of the sewage into the collecting system or bringing into play overflows or by-passes which may result in the discharge of untreated sewage.

All sewage screens shall be frequently cleaned so as to prevent stoppage and the screenings shall be properly disposed of.

In all methods of tank treatment, the sludge shall be removed and properly disposed of at such intervals as not to interfere with the effective operation of the plant. In general, part of the sludge from Imhoff or similar tanks should be removed every three months, except that by removing the sludge late in the fall the tank may be allowed to run through the winter without subsequent removal, providing the sludge stor-

age capacity is sufficient. Tanks should have adequate supervision to guard against stoppages which might result in backing up the sewage into the collecting system or in bringing into play overflows which would result in the discharge of untreated sewage.

The dosing devices in connection with intermittent sand filters shall be maintained in an efficient operating condition at all times to assure proper dosing of the various beds. The doses should be of sufficient quantity to provide uniform distribution over the bed (about 3 inches in depth), be so arranged as to allow for a proper rest period, and not exceed 3 per day. In case the filter becomes "foul," it should be put out of service for sufficient time to recuperate. It is recommended that slow sand filters be covered in the winter in order to obtain satisfactory operating results. If not covered, they should be furrowed or otherwise prepared for winter operation. The filters should be cleaned late in the fall in preparation for winter operation and should also be cleaned as early in the spring as possible. When the depth of the filter sand has been reduced to 1½ feet, it shall be brought to its original depth by adding clean sand of a proper size and quality.

The dosing devices for sprinkling filters shall be carefully maintained to secure proper operation at all times. The distribution system shall be arranged so as to provide as uniform distribution of the sewage as possible and the spraying nozzles be kept free from obstructions. If not covered, the cycle of operation and dose shall be arranged so as to prevent freezing and assure continuous operation of the plant.

All dosing devices of contact beds shall be properly maintained in order to assure maintenance of a cycle of operation that will produce satisfactory results. The standing full period should not be less than 45 minutes nor more than 2 hours. The rest period should be at least four hours. The number of fillings daily should not exceed three.

No specific instructions are given for activated sludge plants, but such plants shall be so operated as to secure effective results at all times.

The method of sludge disposal shall be carefully maintained at all times and in no case shall the sludge from any treatment tank be discharged into any stream or watercourse, or so disposed of as to create a nuisance.

Where any process of sterilization is used as a method of sewage treatment, the plant shall be so operated as to secure effective results at all times. Extra parts or duplicate apparatus shall be kept on hand to avoid unnecessary delays in making repairs. Ortho-tolidine or other effective tests shall be made at regular and frequent intervals to determine residual chlorine, and the results used in governing the chlorine dosage.

Rule 12. Approval of municipal water supplies. At the request of any municipality in the state, an investigation of its public water supply system will be made by the Division of Sanitary Engineering. If the supply is found to be satisfactory from a sanitary standpoint, it will be approved, and the municipality will be given permission to place signs on the highways entering it, bearing the inscription:

(Name of Municipality)

PUBLIC WATER SUPPLY

APPROVED

COLORADO STATE BOARD OF HEALTH

Municipalities whose water supply systems upon investigation are found unsatisfactory, will be advised as to the improvements necessary for approval. Upon completion of these improvements and at the request of the municipality, another investigation will be made, and, if the system is then found to be satisfactory, approval will be given.

The specifications pertaining to this service are:

(a) To be considered satisfactory the water supply system shall conform to the "Drinking Water Standards" of the U. S. Treasury Department. (Adopted June 20, 1925, for water supplies used for drinking and culinary purposes or interstate common carriers.)

(b) The municipality shall assist in the investigation by furnishing as completely as possible all information requested regarding the water supply system.

(c) Samples of water for bacteriological examination shall be submitted by the municipality, according to the procedure of the State Board of Health, at intervals of one month for surface water supplies, and three months for deep well supplies, or more often upon request.

(d) The signs used for this purpose shall be of a standard design approved by the State Board of Health. With uniformity and economy in view, an arrangement has been made whereby the municipalities can purchase them at cost through the Rocky Mountain Motorists, Inc., Foster Building, Denver. They are made of baked enamel on heavy steel plate, and are priced at about \$2.50 each. They shall be erected by the municipality on metal posts, at the corporate limits, in accordance with the specifications of the State Highway Department.

(e) If at any time after approval it is found by a sanitary survey or by bacteriological examinations that the water supply system has become unsatisfactory, the municipality will be notified and advised as to the improvements necessary. If these or other equally effective improvements are not made within a reasonable time, the municipality shall remove the signs immediately upon notice from the State Board of Health, and they shall not be replaced until the system is again approved.

Rule 13. Approval of tourist and other public camps and resorts.

CLASS "A" REQUIREMENTS

1. **Water supply.** All public and private camps shall have an adequate supply of "safe" water for drinking and culinary purposes. Cross connections between a "safe" and "unsafe" water supply will not be permitted.

2. Flush toilets in each cottage.

3. Water piped to each cottage with sink accommodations.

4. **Sewerage system.** All public and private camps shall be provided with adequate sewerage facilities. The sewage shall be disposed of in properly constructed septic tank and cesspool, or septic tank with sub-surface seepage system in an approved location, or discharged into a city or town sewerage system.

5. **Shower bath** provided for each sex.

6. **Garbage.** Each cottage shall have a metal garbage can with tight cover and the collection of garbage made daily and disposed of in a sanitary manner so as not to contaminate any water course or cause a nuisance. The fly menace shall be effectively controlled.

7. **Cottage windows and doors** shall be properly screened.

8. **Rubbish.** Grounds shall be kept free from rubbish, and receptacles provided for disposal.

9. **Proper laundry facilities** shall be provided.

CLASS "B" REQUIREMENTS

1. Same as Class "A" except sections 2 and 3.

2. Drinking water shall be piped to a centrally located place with sanitary cups provided, or an approved type of sanitary drinking fountain.

3. A sufficient number of flush toilets shall be provided for both sexes in a centrally located building.

CLASS "C"

Approved by the State Board of Health, if Nos. 1 and 2 under Class "B" requirements are complied with, and privies constructed according to our "approved" design.

Camps approved as Class "A" or "B" will be permitted to display classification signs and certificates.

MUNICIPAL GARBAGE COLLECTION AND DISPOSAL

Rule 14. Garbage collection. All municipalities shall provide for the collection of garbage at regular and frequent intervals, and between collections all garbage shall be kept in fly-tight containers.

Rule 15. Garbage disposal. All municipalities shall provide a sanitary and inoffensive method for the disposal of garbage. If incineration or reduction or any other such method is used, the plants shall be operated so that no odor nuisance is caused at any time.

Rule 16. Septic tanks. Septic tanks shall be constructed of good quality concrete or other impervious and durable material. Their working capacity should not be less than 100 gallons per person served, and the minimum size tank, for two persons, should not be smaller than 500 gallons.

Larger tanks operate more efficiently and require less frequent cleaning. The depth below the water line should not be less than 4 feet, and the length should be at least twice the width. Baffles should be provided to prevent currents directly through the tank and the outlet should be

arranged to prevent scum at the top or sludge at the bottom from passing out.

The liquid coming from septic tanks is *not purified*; it merely has most of the solid particles of the sewage removed. Consequently this liquid must not be permitted to enter any stream, lake, well or spring used for a domestic water supply; it must be disposed of by letting it seep into the ground through cesspools, or through subsurface disposal fields composed of tile pipes laid with open joints, on a flat grade, about a foot below the ground surface.

Septic tanks and all parts of their seepage systems should be located at least 50 feet from any mountain stream, lake, or dry gulch, 200 feet from any well and 300 feet from any spring. There should be no possibility for sewage or septic tank effluent to flow over the ground or enter any such watercourse.

Septic tanks should be cleaned about once a year by removing the scum from the top and the sludge from the bottom. These substances, if left in the tank, reduce its capacity and its efficiency. The contents removed should be buried under a foot of ground at the distances from watercourses specified for earth pit privies in Rule 18.

(NOTE: Plans for a rural sewerage system, including house sewer, grease trap, septic tank and subsurface disposal system, may be obtained from the State Board of Health.)

Rule 17. Cesspools. Cesspools can be used to dispose of untreated sewage only where the soil is composed of coarse gravel. They should not be located less than 100 feet from any mountain stream, lake or dry gulch, and 300 feet from a well or spring. There should be no possibility for sewage to flow over the ground surface or to enter any such watercourses. Provision should be made for preventing any surface runoff from entering any cesspool.

Rule 18. Privies. Privies should not be tolerated where water flush toilets can be provided.

There are three types of privies in common use, those having earth pits, those having water-tight concrete vaults, and those having removable pails. The same type of building will serve for each type, and it should be well constructed, well ventilated and fly-tight. The vault, pit or pail should be as dark as possible to discourage the entrance of flies. The seat should have a hinged cover which will automatically fall into place after each use.

Earth-pit privies should not be located less than 50 feet from any mountain stream, lake or dry gulch, 100 feet from any well, and 200 feet from any spring. Water-tight concrete vault privies should not be located less than 15 feet from any such watercourse. There should be no possibility of surface runoff entering privy vaults. Removable pail-type privies should not be used, since through careless emptying of the pails, contamination of streams and other watercourses, or a fly menace, would be likely to result.

The privy recommended by this department is the earth-pit, with concrete footers and slabs, with screened vents, etc. A design, showing all

details, will be furnished upon request. To date (July, 1938) 15,600 of these fly-tight sanitary privies have been built in Colorado with WPA labor, under the supervision of the State Board of Health.

SWIMMING POOLS AND OTHER PUBLIC BATHING PLACES

Rule 19. Scope of rules. These rules apply to all bodies of water sufficiently deep for complete immersion of the body and used collectively by numbers of persons for swimming or recreative bathing, together with the shores, buildings, equipment and appurtenances pertaining to such bathing places. They do not apply to public or semi-public baths where the main object is the cleansing of the body or the practice of the healing art unless such baths contain or utilize pools or tanks used collectively by a number of individuals.

CLASS "A" BATHING PLACES

A bathing place which conforms to the following specifications (A-1) to (A-12), inclusive, will be entitled to the rating

CLASS "A" BATHING PLACE

SAFE—NO REASONABLE DANGER OF INFECTION

(A-1) The water used for filling the pool and the water in all parts of the pool shall at all times when the pool is in use be of such quality that (a) not more than 10 per cent of the samples covering any considerable period will show more than 100 bacteria per cubic centimeter when plated on standard agar media and incubated at 37.5° C. for 24 hours, and no single sample will show more than 200 bacteria per c.c.; (b) not more than two out of five samples collected on the same day and not more than three out of any ten consecutive samples collected on different dates will show a positive partially confirmed test for organisms of the coli-aerogenes group in 10 c.c.; (c) all samples will show an alkaline reaction; (d) no sample will show less than 0.3 or more than 0.6 parts per million of residual chlorine when tested with ortho-tolidine; (e) a black disk 6 inches in diameter when placed on the bottom of the pool in the deepest place shall be clearly visible from the side walks at all distances up to 10 yards measured in a line across the pool through said disk. The testing for (a), (b), (c) and (d) shall be made in accordance with the latest "Standard Methods of Water Analysis of the American Public Health Association." The alkalinity must be carefully controlled by maintaining a pH of 7.6 to 7.8 of the water. The temperature should range from 72° F. to 78° F. of the water.

(A-2) An efficient and dependable circulation and purification system shall be provided, consisting of circulation pumps and piping arranged for optimum circulation in the pool, a rapid or pressure sand filter with usual appurtenances, a chlorinator and a suction cleaner. This system shall be operated at all times when the pool is in use so as to admit into the pool water conforming to the requirements of (A-1) in amount equal to at least 1,000 gallons per hour for each 20 persons using the pool during that hour. The walls and floor of the pool shall be kept clean at all times by vacuum

cleaning. The capacities of the circulating pumps, filter and chlorinator shall be such that the entire contents of the pool may be withdrawn, filtered, sterilized, and returned to the pool at least once in eight hours, and the filter capacity shall be based on a rate not greater than 3 gallons of water per square foot of sand surface per minute.

(A-3) The tank or pool shall be of concrete or other impervious material, having inside surfaces smooth, white, and easily cleaned.

(A-4) An overflow gutter shall be provided extending completely around the pool to effectively remove the accumulation of floating matter from the water. The gutter shall drain quickly and the bottom shall be sufficiently inaccessible that the fingers or arms of bathers cannot come in contact with sputum and other foul deposits remaining in it.

(A-5) Dressing rooms, hallways, toilet rooms, shower rooms, and all other places to which patrons and bathers have access, shall be kept clean, well ventilated and well lighted at all times when the pool is in use and shall be of first-class construction. All walks and floors used by bathers shall be of concrete or other impervious material, of first-class construction, properly drained, and roughened sufficiently to prevent slipping. The walks around the pool shall not drain into it.

(A-6) Adequate shower bath facilities with hot and cold water and soap shall be provided for each sex, the minimum number of showers to be one for each thirty bathers expected at times of maximum use, and all bathers shall be required to take a cleansing bath before entering the pool.

(A-7) Adequate water-flush toilets shall be provided for each sex, so arranged that contamination of the pool water from them or their use will be impossible. The minimum number shall be one toilet for each thirty women, and one toilet and one urinal for each 60 men expected at times of maximum use.

(A-8) Provisions shall be made for effectively preventing any person carrying germs of venereal disease or of any other infectious disease from using the pool.

(A-9) Bathing suits and towels should be clean and free from excessive bacterial contamination. They shall be in a condition equal to that produced by commercial laundries. No common towels, combs, brushes or drinking cups shall be permitted.

(A-10) Indiscriminate spitting about the pool shall be prevented.

(A-11) There shall be one or more competent attendants on duty at all times when the pool is in use.

(A-12) A foot-bath must be provided and kept filled with a strong solution of chlorine, and all bathers required to submerge both feet in this bath before entering pool.

CLASS "B" BATHING PLACES

A bathing place which does not conform to specifications (A-1) to (A-12) inclusive, but which conforms to the following specifications (B-1) to (B-11) inclusive, will be entitled to the rating

CLASS "B" BATHING PLACE**REASONABLY SAFE—DANGER OF INFECTION SLIGHT**

(B-1) The water used for filling the pool and the water in all parts of the pool shall, at all times when the pool is in use, be of such quality that (a) samples plated on standard agar media and incubated at 37° C. for 24 hours will not show more than 2,000 bacteria per c.c.; (b) not more than 50 per cent of the samples covering any considerable period will show a positive presumptive test for organisms of the coli-aerogenes group in 1 c.c.; (c) all samples will show an alkaline reaction; (d) a black disk 6 inches in diameter when placed in the deepest part of the pool shall be clearly visible from above the water surface over it. The testing for (a), (b) and (c) shall be in accordance with the latest "Standard Methods of Water Analysis" of the American Public Health Association.

(B-2) The walls and floor of the pool shall be effectively cleaned at least once a week, or oftener if necessary to keep them clean in appearance. Either new, fresh water conforming to the bacteriological requirements of specification (A-1), Rule 24, shall be added to the pool regularly at the rate of 1,000 gallons per hour for each 20 persons using the pool during that hour, or the entire water in the pool shall be sterilized at such intervals that not more than 7 persons per 1,000 gallons pool capacity will use the pool before it is sterilized. This sterilization shall be accomplished by the addition of a filtered solution of sodium hypochlorite or other chlorine liberating compound in amount representing one pound of available chlorine per 100,000 gallons of pool water. (Sodium hypochlorite usually contains 30 per cent available chlorine, so that a solution containing about 3 pounds of this would be sufficient to sterilize 100,000 gallons of pool water. The solution should be evenly distributed throughout the pool water, viz., if pool capacity is 50,000 gallons, 50×7, or 350 persons can use pool before it is resterilized. To sterilize a pool of this capacity, use solution containing 1½ pounds of sodium hypochlorite.)

(B-3) Same as A-3.

(B-4 to B-11) Same as A-5 to A-12.

CLASS "C" BATHING PLACES

A bathing place which does not conform to the specifications of either Class "A" or Class "B" bathing places will be rated

CLASS "C" BATHING PLACE**UNSAFE—SERIOUS DANGER OF INFECTION**

The owner or operator of any Class "C" bathing place shall, immediately upon notification by the State Board of Health, close said bathing place to the public and prevent any bathing therein until it has been improved so as to conform to the specifications for either Class "A" or Class "B" bathing places.

IRRIGATION WITH SEWAGE

Rule 20. Irrigation with sewage or sewage-laden water. No domestic sewage nor water containing domestic sewage in amount and condition such that bacteria of the coli-aerogenes group are present in quantities of ten or more per cubic centimeter, shall be used to irrigate or be permitted to overflow any fruits or vegetables for human consumption, the edible portions of which grow in the ground or above it within one foot of the surface, except with the written permission of the State Board of Health obtained as hereinafter provided. For the purposes of this rule, the coli-aerogenes group is defined as in the latest edition of the Standard Methods of Water Analysis of the American Public Health and American Water Works Associations, and the procedures for demonstration of these bacteria shall conform to those of the completed test as therein specified.

The standard sample for this test shall consist of one each of the following portions:

- 1st. Ten cubic centimeters (10 c.c.).
- 2nd. One cubic centimeter (1 c.c.).
- 3rd. One-tenth cubic centimeter (0.1 c.c.).
- 4th. One-hundredth cubic centimeter (0.01 c.c.).

Positive completed tests in the 1st, 2nd and 3rd, the 1st, 2nd and 4th or the 1st, 3rd and 4th portions shall be positive evidence of the presence of bacteria of the coli-aerogenes group in quantities of ten or more per c.c.

Upon receipt of a request, in writing, for permission to use sewage or sewage-laden water contrary to the above stipulations, claiming that the conditions of the particular case are such as to prevent any reasonable possibility of impairing the public health and stating full details upon which this claim is based, the State Board of Health will make an investigation and determine whether or not such use should be permitted, following which its approval will be given or denied.

RAILWAY SANITATION

Rule 21. Sanitation of railway cars, stations and camps. The sanitation of railway cars, stations and camps shall conform to the "Standard Railway Sanitary Code," the same being Regulation 62 of the Colorado State Board of Health.

MILK

The United States Public Health Service, "Milk Ordinance and Code", 1939 edition, was adopted by the Colorado State Board of Health at a special meeting held on July 15, 1942. For the provisions of this Milk Ordinance and Code, see U. S. Public Health Bulletin, No. 220, (1939 edition). Copies of this Bulletin are for sale by the Superintendent of Documents, Washington, D. C. Price 35 cents.

COLORADO
STATE DIVISION OF PUBLIC HEALTH



VITAL STATISTICS

LAWS, RULES AND REGULATIONS
(Revised 1942)

Issued by the
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VITAL STATISTICS

LAWS, RULES AND REGULATIONS

1942

LAWS

(From Chapter 78, Colorado Statutes Annotated, 1935)

Section

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Sec. 5. Vital statistics. The State Board of Health shall have the general direction and control of the system of vital statistics of the state, in so far as the editorial work and statistical plans of the same are concerned. (L. '93, p. 399, sec. 5.)

ARTICLE IV. VITAL STATISTICS.

Sec. 104. Board of health to supervise registration of births and deaths. It shall be the duty of the State Board of Health to have charge of the state system of registration of births and deaths; to prepare the necessary methods, forms and blanks for obtaining and preserving such records and to insure the faithful registration of the same in the incorporated towns, cities and counties, and in the central bureau of vital statistics. (L. '07, p. 238, sec. 1; R. S. '08, sec. 371; C. L., sec. 970.)

This statute is a valid exercise of the police power of the state, and it operates in all parts of the state including Denver and other home rule cities. *People v. McNichols*, 91 Colo. 141, 13 P. (2d) 266.

Its purpose was to place the state system of registration of births and deaths in charge of the State Board of Health with power to appoint local registrars, it being provided that registrars, officiating under local ordinances at the time the act went into effect should continue as such, subject to the provisions of the act, but that they ceased to be municipal officers. *McNichols v. People*, 92 Colo. 469, 22 P. (2d) 131.

Hence, so far as local registrars of vital statistics are concerned, municipal ordinances are superseded by this statute, under which a local registrar's term of office is two years, and the power to appoint succeeding local officials is lodged in the State Board of Health. *McNichols v. People*, 92 Colo. 469, 22 P. (2d) 131.

Sec. 105. Board of vital statistics—Registrar. The secretary of the State Board of Health shall be state registrar of vital statistics and shall have general supervision over the central bureau of vital statistics, which is hereby authorized to be established by said board. Suitable apartments shall be provided by the board of capitol managers for the central bureau of vital statistics in the state capitol, which shall be properly equipped with fireproof vault and filing cases for the safe and permanent preservation of all official records made and returned under the provisions of this article, and the State Board of Health shall carry the provisions of this article into effect. (L. '07, p. 238, sec. 2; R. S. '08, sec. 372; C. L., sec. 971.)

As to secretary of State Board of Health, see §4 of this chapter.

Sec. 106. Registration districts established. For the purposes of this article, the state shall be divided into registration districts as follows: Each city, incorporated town, and county, exclusive of such cities or incorporated towns as may be situated within its boundaries, shall constitute a primary registration district. (L. '07, p. 238, sec. 3; R. S. '08, sec. 373; C. L., sec. 972.)

Sec. 107. Local registrar—Duties—Deputy—Subregistrars. Within ninety days after the taking effect of this article, or as soon thereafter as possible, the State Board of Health shall appoint a local registrar of vital statistics for each registration district in this state. The term of office of local registrars, appointed by said board shall be two years, beginning with the first day of January, 1908, and the successors shall be appointed at least ten days before the expiration of their terms of office. Any local registrar appointed by said board, who fails or neglects to efficiently discharge the duties of his office as laid down in this article, or who fails to make prompt and complete returns of births and deaths, as required hereby, shall be forthwith removed from his office by the State Board of Health, and his successor appointed, in addition to any other

penalties that may be imposed, under other sections of this article, for failure or neglect to perform his duty.

Each local registrar, appointed by said board, shall, immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in case of absence, illness or disability, and who shall accept such an appointment in writing, and who shall be subject to all rules and regulations governing the actions of local registrars: provided, that in cities, incorporated towns, or counties where health officers, or secretaries of local boards of health, or other officials, at the date of this article, are officiating as registrars of births and deaths under local ordinances, which officers shall be continued as registrars in and for such cities, incorporated towns, or counties, but shall be subject to the rules and regulations of the state registrar, and to all the provisions of this article. And when it may appear necessary for the convenience of the people in any county, the local registrar is hereby authorized, with the approval of the state registrar, to appoint one or more suitable and proper persons to act as subregistrars, who shall be authorized to receive certificates, and to issue burial or removal permits, in and for such portions of the county as may be designated; and each subregistrar shall note, over his signature, the date on which each certificate was filed and forward all certificates to the registrar of the county within ten days, and in all cases before the third day of the following month; provided, that all subregistrars shall be subject to the supervision and control of the state registrar, and may be by him removed for neglect or failure to perform their duties in accordance with the provisions of this article or the rules and regulations of the state registrar, and they shall be liable to the same penalties for neglect of duties as the local registrar. (L. '07, p. 239, sec. 4; R. S. '08, sec. 374; C. L., sec. 973.)

As to the State Board of Health, see §1, et seq. of this chapter.

Failure of the State Board of Health to appoint a local registrar of vital statistics for Denver for a number of years did not deprive it of its statutory power to appoint, nor relieve it of the necessity of performing a plain statutory duty. *McNichols v. People*, 92 Colo. 469, 22 P. (2d) 131.

Sec. 108. Burial permit—Removal permit. The body of any person whose death occurs in the state shall not be interred, deposited in a vault or tomb, cremated, or otherwise disposed of, or removed from or into any registration district, until a permit for burial, removal, or other disposition shall have been properly issued by the registrar of the registration district in which the death occurs. And no such burial or removal permit shall be issued by any registrar until a complete and satisfactory certificate and return of the death has been filed with him as hereinafter provided; provided, that a transit permit issued in accordance with the law and health regulations of the place where the death occurred, whether in Colorado or outside of the state, may be accepted by the local registrar of the district where the body is to be interred or otherwise finally disposed of, as a basis upon which he shall issue a local burial permit, in the same way as if the death occurred in his district, but shall plainly enter on the face of the copy of the record which he shall make for return to the state registrar the fact that it was a body shipped in for interment, and give the actual place of death. But when a body is removed from a district in

Colorado to an adjacent or nearby district for interment, not requiring the use of a common carrier or the issue of a transit permit, then the registrar's removal permit from the district where death occurred may be accepted as authority for burial. (L. '07, p. 240, sec. 5; R. S. '08, sec. 375; C. L., sec. 974.)

As to penalty for undertaker acting without permit, see §129 of this chapter.

Sec. 109. "Still birth," how registered. Still born children or those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and the death shall be filed with the local registrar, in the usual form and manner, the certificate to contain, in place of the name of the child, the words "still birth." The medical certificate of the cause of death shall be signed by the attending physician, if any; and shall state the cause of death, as "still born," with the cause of the still birth, if known, whether a premature birth; and, if born prematurely, the period of uterogestation, in months, if known; and a burial or removal permit in usual form shall be required. Midwives shall not sign certificates of death for still born children; but such cases, and still births occurring without attendance of either physician or midwife, shall be treated as deaths without medical attendance, as provided for in section 111 of this chapter. (L. '07, p. 240, sec. 6; R. S. '08, sec. 376; C. L., sec. 975.)

Note: Under ruling of the attorney general, the standard certificate of still birth, prescribed by the U. S. Bureau of the Census, shall be used for reporting still births. (See page 4 of Physicians' Handbook on Birth and Death Registration, Bureau of Census, 1939.)

Sec. 110. Contents of certificate of death. The certificate of death shall contain the following items:

1. Place of death, including state, county, town or city. If in a town or city, the ward, street and house number. If in a hospital or other institution, the name of the same to be given instead of the street and house number. If in a county, the range and township.

2. Full name of decedent. If an unnamed child, the surname preceded by "unnamed."

3. Sex.

4. Color of race: as white, black (negro or negro descent), Indian, Chinese, Japanese or other.

5. Conjugal condition: as single, married, widowed or divorced.

6. Date of birth, including the year, month and day.

7. Age in years, months and days.

8. Place of birth, state or foreign country.

9. Name of father.

10. Birthplace of father, state or foreign country.

11. Maiden name of mother.

12. Birthplace of mother, state or foreign country.

13. Occupation: the occupation to be reported of any person who had any remunerative employment, women as well as men.

14. Signature and address of informant.

15. Date of death, including the year, month and day.

16. Statement of medical attendance on decedent, fact and time of death, including the time last seen alive.

17. Cause of death, including the primary and immediate causes, and contributory causes or complications, if any, and duration of each.

18. Signature and address of physician or official making the medical certificate.

19. Special information concerning deaths in hospitals and institutions, and of persons dying away from home, including the former or usual residence; length of time, and place of death, and place where the disease was contracted.

20. Place of burial or removal.

21. Date of burial or removal.

22. Signature and address of undertaker.

23. Official signature of registrar, with date of when certificate was filed, and registered number.

The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw deceased alive, and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in death, giving the primary and immediate causes, and also the contributory causes, if any, and the duration of each. Indefinite and unsatisfactory returns, indicating only symptoms of disease or conditions resulting from disease, will not be held sufficient for issuing a burial or removal permit; and any certificate containing only such terms as defined by the state registrar shall be returned to the physician for correction and definition. Causes of death, which may be the result of either disease or violence, shall be carefully defined; and, if from violence, its nature shall be stated, and whether (probably) accidental, suicidal, or homicidal. And in cases of deaths in hospitals, institutions, or away from home, the physician shall furnish the information required under his head (item 19), and shall state where, in his opinion, the disease was contracted. (L. '07, p. 241, sec. 7; R. S. '08, sec. 377; C. L., sec. 976.)

As to penalty for failure to comply with the provisions of this section, see §129 of this chapter.

Sec. 111. Death without medical attendance—Investigation—Disposition of body—Burial certificate. In case of any death occurring without medical attendance, it shall be the duty of the undertaker to notify the registrar of such death, who, when so notified, shall then notify the chief health officer, and refer the case to the health officer or coroner for investigation and certification. It shall be the duty of the coroner to immediately

hold an investigation, or inquest, on the body of any deceased person who shall have died a violent death or whose death shall be sudden if suspicious circumstances shall render the same necessary. Upon the conclusion of the examination of the body, without unnecessarily delaying the burial until the conclusion of the inquest, it shall be the duty of the coroner to at once surrender the possession of the remains to the personal representative, relatives or friends of the deceased for burial. And any coroner whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the nature of the disease, or the manner of death; and, if from external causes of violence, whether (probably) accidental, suicidal, homicidal, as determined by the inquest or investigation; and shall, in either case, furnish such information as may be required by the state registrar to properly classify the death. (L. '11, p. 651, sec. 1; amending R. S. '08, sec. 378; C. L., sec. 977.)

As to coroner's inquest, see ch. 45; §122.

Sec. 112. Undertaker's duty to file certificate of death. The undertaker, or person acting as undertaker, shall be responsible for obtaining and filing the certificate of death with the registrar, and securing a burial or removal permit, prior to any disposition of the body. He shall obtain the personal and statistical particulars required from the person best qualified to supply them, over the signature and address of his informant. He shall then present the certificate to the attending physician, if any, or to the health officer or coroner, as directed by the registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record, as specified in the last preceding section. And he shall then state the facts required relative to the date and place of burial, over his signature and with his address, and present the completed certificate to the registrar, within the time limit, if any, designated by the local board of health for the issuance of a burial or removal permit. The undertaker shall deliver the burial permit to the sexton or person in charge of the place of burial, before interring the body; or shall attach the transit permit containing the registrar's removal permit to the box containing the corpse, when shipped by any transportation company; said permit to accompany the corpse to its destination, where, if within the state of Colorado, it shall be taken up by the local registrar of the district in which interment is made, who shall issue a burial permit thereon. (L. '07, p. 243, sec. 9; R. S. '08, sec. 379; C. L., sec. 978.)

Sec. 113. Contents of burial permit. If the interment, or other disposition of the body, is to be made within this state, the wording of the burial permit may be limited to a statement by the registrar, and over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove, or otherwise dispose of the deceased; stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the state registrar. (L. '07, p. 244, sec. 10; R. S. '08, sec. 380; C. L., sec. 979.)

Sec. 114. No interment without permit—Sexton's duty. That no sexton, or person in charge of any premises in which interments are made,

shall inter, or permit the interment or other disposition of any body, unless it is accompanied by a burial, removal or transit permit, as herein provided. And each sexton, or person in charge of any burial ground, shall endorse upon the permit the date of interment, the name of the cemetery, and the lot, block and section number in which interment was made over his signature, and shall return all permits so endorsed to the local registrar of his district, within ten days from the date of interment. He shall also keep a record of all interments made in the premises under his charge, stating the name of the deceased person, place of death, date of burial, and name and address of the undertaker; which record shall at all times be open to public inspection. The local registrar shall be charged with the duty of filing all permits returned to him endorsed by the sexton, with the county clerk of the county in which burial takes place, not later than the first day of January and July, respectively, of each calendar year. The county clerk of the county in which the interment is made shall provide suitable binders for the permanent filing of such records. (Session Laws of 1941.)

As to penalty for sexton acting without permit, see §129 of this chapter.

Sec. 115. All births shall be registered. All births that occur in the state shall be immediately registered in the district in which they occur, as hereinafter provided. (L. '07, p. 244, sec. 12; R. S. '08, sec. 382; C. L., sec. 981.)

As to duty of physicians to keep a registry of births, see §71 of this chapter.

Sec. 116. Certificate of birth to be filed. It shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all the particulars required by this article, with the local registrar of the district in which the birth occurred, within ten days after the date of birth. And if there be no attending physician or midwife, then it shall be the duty of the father or mother of the child, householder or owner of the premises, manager or superintendent of public or private institution in which the birth occurred, to notify the local registrar, within ten days after the birth, of the fact of such a birth having occurred. It shall then, in such case, be the duty of the local registrar to secure the necessary information and signature to make a proper certificate of birth. (L. '07, p. 244, sec. 13; R. S. '08, sec. 383; C. L., sec. 982.)

A certificate of identification may be accepted in lieu of a birth certificate. See §118 of this chapter. As to penalty for failure to file certificate, see §129 of this chapter.

Sec. 117. Contents of certificate of birth. The certificate of birth shall contain the following items:

1. Place of birth, including state, county, township or town, village or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given, instead of the street and house number.

2. Full name of child. If the child dies without a name, before the certificate is filed enter the words, "Died unnamed." If the living child has not been named at the date of filing certificate of birth, the space for "Full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

3. Sex of child.
4. Whether a twin, triplet or other plural birth. A separate certificate shall be required for each child in case of plural birth, giving number of child in order of birth.
5. Whether legitimate or illegitimate.
6. Full name of father.
7. Residence of father.
8. Color or race of father.
9. Birthplace of father.
10. Age of father at last birthday, in years.
11. Occupation of father.
12. Maiden name of mother, in full.
13. Residence of mother.
14. Color or race of mother.
15. Birthplace of mother.
16. Age of mother at last birthday, in years.
17. Occupation of mother.
18. Number of child of this mother, and number of children of this mother now living.
19. Certificate of the attending physician or midwife as to attendance at birth, including statement of year, month, day and hour of birth, and whether the child was alive or dead at birth. This certificate shall be signed by the attending physician or midwife, with the date of signature and address; if there is no physician or midwife in attendance, then the father or mother of the child, householder or owner of the premises, or manager or superintendent of public or private institution, or other competent person, whose duty it shall become to notify the local registrar of such a birth, as required by the last preceding section.

20. Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

All certificates, either of birth or death, shall be written legibly, in unfading ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for herein, or satisfactorily account for their omission. (L. '07, p. 244; sec. 14; R. S. '08, sec. 384; C. L., sec. 983.)

Sec. 118. Adopting parent may have certificate or identification issued. At the time of adoption, or at any time thereafter, the adopting parent or parents of any child, under the age of sixteen (16) years, may have a certificate of identification issued and signed by the judge of the court decreeing the adoption, which certificate shall be accepted by all school districts and school authorities in this state in lieu of a birth certificate and without further evidence of such birth certificate. (L. '35, p. 286, sec. 1.)

Sec. 119. Judge to issue certificates of identification—Fee. All judges of the juvenile court, where such court exists, or if no juvenile court exists, then the county or district courts, are hereby authorized to issue

such certificates of identification, upon satisfactory proof of the matters contained in such certificate, and upon application made by the adopting parent and parents. The fee for the issuance of said certificate shall be fifty cents (50c). (L. '35, p. 286, sec. 2.)

Sec. 120. Form of certificate. The certificate of identification herein provided shall be in the following form:

CERTIFICATE OF IDENTIFICATION

This is to certify that is the legal
child of and his wife
..... and that .. he was born at
..... on , 19.....

..... Judge.
County }
Juvenile } Court of County

Dated at

Colorado, , 19.....

(L. '35, p. 287, sec. 3.)

Sec. 121. Board to furnish birth certificates of illegitimate children. Upon written request, made by the superintendent or other official of the Colorado state home for dependent and neglected children, the State Board of Health shall furnish, without cost, certified copies of birth certificates of all illegitimate children who have been legally committed to said home. (L. '35, p. 287, sec. 4.)

Sec. 122. Supplemental report. When any certificate of birth of a living child is presented without statement of the given name, then the local registrar shall make out and deliver to the informant a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to the registrar as soon as the child shall be named. The original certificate of birth shall not be considered complete until the supplemental report is filed or the blank returned with the statement, "Died unnamed." (L. '07, p. 246, sec. 15; R. S. '08, sec. 385; C. L., sec. 984.)

Sec. 123. Physicians, midwives and undertakers shall register. Every practicing physician, midwife, and undertaker shall, without delay, register his or her name, address, and occupation with the local registrar of the district in which he or she resides or may hereafter establish a residence; and shall thereupon be supplied by the local registrar with a copy of this article, together with such rules and regulations as may be prepared by the state registrar relative to its enforcement. Within thirty days after the close of each calendar year each local registrar shall make a return to the state registrar of all physicians and midwives who have been registered in his district during the whole or any part of the preceding calendar year; provided, that no fee or other compensation shall be charged by local registrars to physicians, midwives, or undertakers, for

registering their names under this section or making return thereof to the state registrar. (L. '07, p. 246, sec. 16; R. S. '08, sec. 386; C. L., sec. 985.)

Sec. 124. Report of hospital superintendents. All superintendents or managers, or other persons in charge of hospitals, alms houses, lying-in or other institutions, public or private, to which persons resort for treatment of disease, confinement, or are committed by process of law are hereby required to make a record of all of the personal and statistical particulars relative to the inmates in their institutions, at the date of approval of this article, that are required in the form of the certificate provided for by this article, as directed by the state registrar; and thereafter such record shall be by them made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical treatment of disease, the physician in charge shall specify, for entry in the record, the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself, if it is practicable to do so; and when they cannot so be obtained, they shall be secured in as complete manner as possible from the relatives, friends, or other persons acquainted with the facts. (L. '07, p. 246, sec. 17; R. S. '08, sec. 387; C. L., sec. 986.)

As to duty of hospitals to make quarterly reports to State Board of Health, see §136 of this chapter.

Sec. 125. Registrar to furnish blanks—Records preserved. The state registrar of vital statistics shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording and preserving the returns, or in otherwise carrying out the purposes of this article; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the state registrar. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants, or undertakers, connected with any case, and all other persons having knowledge of the facts, are hereby required to furnish such information as they may possess regarding any birth or death upon demand of the state registrar in person, by mail, or through the local registrar. He shall, further, arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; the cards to show the name of child or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained. He shall inform all registrars what diseases are to be considered as infectious, contagious, or communicable or dangerous to the public health, as decided by the State Board of Health, in order that when deaths occur from such diseases, proper precautions may be taken to prevent the spreading of dangerous diseases. (L. '07, p. 247, sec. 18; R. S. '08, sec. 388; C. L., sec. 987.)

Sec. 126. Duties of local registrar. It shall be the duty of the local registrar to supply blank forms of certificates to such persons as require them. And he shall carefully examine each certificate of birth or death when presented for record, to see that it has been made out in accordance with the provisions of this article and the instructions of the state registrar; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to withhold issuing the burial or removal permit until they are corrected. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker; provided, that in case the death occurred from some disease that is held by the State Board of Health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be granted by the registrar, except under such conditions as may be prescribed by the state and local boards of health. If a certificate of birth is incomplete, he shall immediately notify the informant, and require him to supply the missing items if they can be obtained. He shall then number consecutively the certificates of birth and of death, in two separate series, beginning with "No. one," for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and death certificate registered by him, upon a form identical with the original certificate, to be filed and permanently preserved in his office as the local record of such death in such manner as directed by the state registrar. And he shall, on the fifth day of each month, transmit to the state registrar all original certificates registered by him during the preceding month. And if no births or deaths occurred in any month he shall on the fifth day of the following month report that fact to the state registrar, on a card provided for this purpose. (L. '07, p. 248, sec. 19; R. S. '08, sec. 389; C. L., sec. 988.)

Sec. 127. Fees of local registrar. Each local registrar shall be entitled to be paid the sum of twenty-five cents for each birth and each death certificate properly and completely made out and registered with him, and correctly copied and duly returned by him to the state registrar, as required by this article; provided, that in cities, incorporated towns or counties, in which the clerk, health officer, or other official acting as registrar, receives a fixed salary, in lieu of fees, no further compensation shall be paid for the duties required by this article. And in case no births or no deaths were registered, during any month, the local registrar shall be entitled to be paid the sum of twenty-five cents for each report to that effect, promptly made in accordance with this article. All amounts payable to registrars or subregistrars under the provisions of this section shall be paid by the treasurer of the incorporated town, city or county in which the registration district is situated upon certification of the state registrar of vital statistics, and after approval of the proper auditing officials of such incorporated town, city or county. And the state registrar shall quarterly certify to the treasurers of the several towns, cities or counties the number of births and deaths registered, with the names of

the local registrars, and the amounts due each at the rates fixed herein. (L. '07, p. 248, sec. 20; R. S. '08, sec. 390; C. L., sec. 989.)

The legislature has power to impose upon the city and county of Denver a liability to pay the compensation of a local registrar of vital statistics, and the city cannot avoid the expense by failing to have such an officer of its own selection appointed. *People v. McNichols*, 91 Colo. 141, 13 P. (2d) 266.

Sec. 128. Certified copy of certificate. The state registrar shall, upon request, furnish any applicant a certified copy of the record of any birth or death, registered under provisions of this article, for the making and certification of which he shall be entitled to a fee of one dollar, to be paid by the applicant. And any such copy of the record of a birth or death, when properly certified by the state registrar to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made the state registrar shall be entitled to a fee of fifty cents for each hour or fractional hour of time of search, to be paid by the applicant. And the state registrar shall keep a true and correct account of all fees by him received under these provisions, and turn the same over to the state treasurer. (L. '07, p. 249, sec. 21; R. S. '08, sec. 391; C. L., sec. 990.)

Sec. 129. Penalties for failure to comply with requirements of article. If any physician who was in medical attendance upon any deceased person at the time of death shall neglect or refuse to make out and deliver to the undertaker, sexton or other person in charge of the interment, removal, or other disposition of the body, upon request, the medical certificate of cause of death, hereinbefore provided for, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five dollars nor more than fifty dollars. And if any physician shall knowingly make false certification of the cause of death, in any case, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than fifty dollars nor more than two hundred dollars.

And any physician or midwife in attendance upon a case of confinement, or any other person charged with responsibility for reporting births, in the order named in Section 116 of this chapter who shall neglect or refuse to file a proper certificate of birth with the local registrar within the time required by this article, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five dollars nor more than fifty dollars.

And if any undertaker, sexton, or other person acting as undertaker shall inter, remove, or otherwise dispose of the body of any deceased person, without having received a burial or removal permit, as herein provided, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty dollars nor more than one hundred dollars.

And any registrar, deputy registrar, or subregistrar who shall neglect or fail to enforce the provisions of this article in his district, or who shall neglect or refuse to perform any of the duties imposed upon him by this article or by the instructions and directions of the state registrar shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars.

And any person who shall wilfully alter any certificate of birth, or death, or the copy of any certificate of birth or death, on file in the office of the local registrar, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not exceeding sixty days, or suffer both fine and imprisonment, in the discretion of the court.

And any other person or persons who shall violate any of the provisions of this article, or shall wilfully neglect or refuse to perform any duties imposed upon them by the provisions of this article, or shall furnish false information to a physician, undertaker, midwife or informant, for the purpose of making incorrect certification of births or deaths shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five dollars nor more than one hundred dollars.

And any transportation company or common carrier transporting or carrying, or accepting through its agents or employees for transportation or carriage, the body of any deceased person without an accompanying permit issued in accordance with the provisions of this article shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars nor more than two hundred dollars; provided, that in case the death occurred outside of the state and the body is accompanied by a certificate of death, burial or removal or transit permit issued in accordance with the law or board of health regulations in force where the death occurred, such death certificate, burial or removal permit may be held to authorize the transportation or carriage of the body into or through the state. (L. '07, p. 249, sec. 22; R. S. '08, sec. 392; C. L., sec. 991.)

See also §132 of this chapter.

Sec. 130. Registrars to enforce article—Violations reported to district attorney. The local registrars are hereby charged with the strict and thorough enforcement of the provisions of this article in their districts, under the supervision and direction of the state registrar. And they shall make an immediate report to the state registrar of any violations of this law coming to their notice by observation or upon complaint of any person or otherwise. The state registrar is hereby charged with the thorough and efficient execution of the provisions of this article in every part of the state and with supervisory power over local registrars to the end that all the requirements shall be uniformly complied with. He shall have authority to investigate cases of irregularity or violation of law, personally or by accredited representative, and all registrars shall aid him, upon request, in such investigations. When he shall deem it necessary, he shall report cases of violation of any of the provisions of this article to the district attorney of the proper county, with a statement of the facts and circumstances; and when any such case is reported to them by the state registrar, all district attorneys shall forthwith initiate and promptly follow up the necessary court proceedings against the parties responsible for the alleged violations of law. And upon request of the state registrar, the attorney general shall likewise assist in the enforcement of the provisions of this article. (L. '07, p. 251, sec. 23; R. S. '08, sec. 393; C. L., sec. 992.)

Sec. 131. Death resulting from accident reported to coroner. In all cases where death shall result from accident within three months from and after the date of said accident the coroner of the county in which said death shall occur shall be notified before the deceased shall be prepared for burial or removed from the place where death occurs; and it shall be the duty of all doctors in attendance on deceased, and of any undertaker called to prepare deceased for burial, or any other person who has knowledge of the fact of any death, to give such notification. (L. '07, p. 252, sec. 24; R. S. '08, sec. 394; C. L., sec. 993.)

Sec. 132. Penalty for violation of article. Any violation of this article shall be punishable by a fine of not less than \$100.00 and not more than \$500.00, or by confinement in the county jail for not less than thirty days and not more than ninety days, or by both such fine and imprisonment. (L. '07, p. 252, sec. 25; R. S. '08, sec. 395; C. L., sec. 994.)

As to penalties for failure to comply with requirements, see §129 of this chapter.

CHAPTER 142, SESSION LAWS OF COLORADO, 1941

AN ACT

Relating to Vital Statistics

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. Any citizen of the State of Colorado wishing to file the record of any birth or death, not previously recorded, or to make any changes in a certificate previously registered that are necessary to provide a correct registration of the birth or death, may submit to the county court in the county where the birth or death occurred, a record of that birth or death written on the adopted forms of birth and death certificates, together with a court fee of \$1.50 to cover the costs of handling. The certificate shall be substantiated by the affidavit of the medical attendant present at the time of the birth, or in the case of death, the affidavit of the physician last in attendance upon the deceased, or the undertaker who buried the body. When the affidavit of the medical attendant or undertaker cannot be secured, the certificate shall be supported by the affidavit of some person who was acquainted with the facts surrounding the birth or death, at the time the birth or death occurred, with a second affidavit of some person who is also acquainted with the fact surrounding the birth or death, and who is not related to the individual by blood or marriage. The county court shall require such other information or evidence as may be deemed necessary to establish the citizenship of the individual filing the certificate, and the truthfulness of the statements made in that record.

Sec. 2. The clerk of said court shall forward the certificate to the State Board of Health with an order from the court to the State Registrar of Vital Statistics that the record be, or be not, accepted.

Sec. 3. The State Registrar of Vital Statistics is authorized to accept the certificate when verified in the above manner, and if accepted shall issue certified copies of such records as now provided for in Section 128.

Chapter 78, 1935 Colorado Statutes Annotated. Such certified copies shall be prima facie evidence in all courts and places of the facts stated thereon. The State Board of Health shall furnish the forms upon which such records are filed, as now provided in Section 125, Chapter 78, 1935 Colorado Statutes Annotated, and no other form shall be used for that purpose.

Sec. 4. The general assembly hereby finds, determines and declares that this act is necessary for the immediate preservation of the public peace, health and safety.

Sec. 5. In the opinion of the general assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved February 24, 1941, at 10:12 A. M.

REGULATIONS

RULES AND REGULATIONS RELATING TO VITAL STATISTICS

Rule 1. The State Board of Health is authorized by law to make such rules as are necessary "to insure the faithful registration" of all births and deaths in the incorporated towns, cities and counties, and in the Central Bureau of Vital Statistics.

Rule 2. The secretary of the State Board of Health is ex-officio State Registrar of Vital Statistics and has general supervision over all local registrars and the Central Bureau of Vital Statistics. The State Board of Capitol Managers is required by law to provide suitable apartments for the said bureau, including a properly equipped fireproof vault and filing cases.

Rule 3. Each city, each incorporated town and each county exclusive of such cities and towns constitutes a registration district.

Rule 4. Any local registrar who fails or neglects to discharge efficiently the duties of his office or who fails to make prompt and complete returns of births and deaths to the State Registrar will be promptly removed from his office.

Each local registrar must appoint a deputy who shall serve in case of absence, serious illness or other disability of the registrar. In case of removal or disability of the deputy, the registrar must immediately name a new deputy and report the name to the State Registrar. Registrars must likewise send to the State Registrar name and address of every subregistrar appointed.

Rule 5. A burial or removal permit must be obtained from the local registrar of the registration district where the death occurred before the body of such person shall be interred, deposited in a vault or tomb, cremated or removed into any other registration district. The local registrar must not issue a permit for the burial, cremation, removal or shipment of the dead body until there has been filed with him a complete and satisfactory death certificate: Provided, That a lawful transit permit

issued at the place where the death occurred, whether in this or in another state, may be accepted by the local registrar in lieu of a death certificate as a basis upon which to issue a local permit. The local registrar shall not at any time sign in blank a permit of any character whatsoever. When a transit permit is the basis upon which a burial permit is issued, that fact and place of death must be written on the face of the permit and a copy forwarded to the State Registrar. When a dead body is removed from one registration district to an adjacent or nearby district for burial, not requiring a common carrier or issuance of a transit permit, then the removal permit of the registrar where the death occurred may be accepted as authority for burial.

Rule 6. Under ruling of the Attorney General, the U. S. Standard Certificate of Stillbirth should be used for reporting all stillbirths. (See page 4 of Physicians' Handbook on Birth and Death Registration, Bureau of Census, 1939.)

Rule 7. All death certificates must be made on blank forms furnished by the State Registrar, clearly indicating the numerous points of information to be furnished as required by law. Valuable instructions are printed on the back of each blank for death certificate. When death is caused by accident the nature of the accident must be stated. If there is a contributory cause it must be stated in addition to the immediate cause of death. The duration of the disease and where contracted, whether direct or contributory cause, must be stated. It is also important that each certificate contain the registration or district number as well as the registered number, beginning a new series always with the first day of January. Reasonable effort must be made to have every item of information supplied in the certificate, and all incomplete certificates will be returned by the State Registrar to the local registrar unless it is clearly shown that the omitted information could not be obtained.

Rule 8. When any death occurs without medical attendance, the undertaker must immediately notify the local registrar of the registration district in which the death occurred. The local registrar must immediately notify the local health officer and the coroner. The body should not be removed from the place where it is found without permission of the coroner. The body of a person who has died without medical attendance must not be embalmed without consent of the coroner. The coroner must immediately make an investigation and must hold an inquest when necessary to determine the facts required by law. A certificate of death occurring without medical attendance must be signed by the coroner who shall furnish such information as may be required by the State Registrar properly to classify the death.

When a death results from an injury or accident within three months following date of such injury or accident, the coroner of the county where the death occurs must be notified before the body of the deceased is moved or prepared for burial.

Rule 9. The undertaker, or person acting as undertaker or person or firm furnishing the box, coffin or casket in which to bury a human

body shall be held responsible for obtaining and filing the certificate of death with the local registrar, and securing a burial or removal permit, prior to any disposition of the body. In case of death of any person whose identity is uncertain or whose name cannot be learned prior to burial or other disposition of the body, the undertaker must file with the death certificate a detailed description of the deceased, including approximate weight, height, age, sex, race, color of hair and eyes, clothing and any scars, deformity or other distinguishing marks which might aid in a later identification. If possible, the undertaker must also file with the death certificate of an unidentified person, a photograph, preferably taken of the deceased before death.

The local registrar shall refuse to issue a burial or removal permit when the death certificate does not contain the essential information required by law or when he believes the case should be investigated by the coroner.

The undertaker must deliver the burial permit to the sexton or person in charge of the place of burial before interring the body: or shall attach the transit permit containing the removal permit to the box containing the corpse, when shipped by a transportation company. If the destination is within the State of Colorado, the local registrar where interment is to be made shall take up the transit and removal permit and issue a burial permit.

Rule 10. If the interment or other disposition of the body is to be made within this state, the wording of the burial permit may be limited to a very brief statement by the local registrar as detailed upon the form prescribed by the State Registrar.

Rule 11. No person in charge where interments are made shall permit burial or other disposition of any body, unless accompanied by a burial, removal or transit permit.

The person in charge of the burial ground shall write upon the permit the date of burial and within ten days forward it to the local registrar. The sexton must keep a record showing name of the deceased person, place of death, date of burial and name and address of the undertaker. Violation of these provisions is a misdemeanor under the law.

Rule 12. All births must be immediately registered in the district where they occur.

Rule 13. Within ten days after date of birth the attending physician or midwife must file with the local registrar for the registration district in which the birth occurred a birth certificate completely filled out as required by the State Registrar.

If there was no attending physician or midwife, then the father, mother, nurse, owner of premises, superintendent of the institution in which the birth occurred or other person knowing that a birth has occurred and believing that it may not have been reported, must report the birth to the local registrar, who shall immediately secure the necessary information and signatures to make a proper certificate of birth.

Rule 14. All birth certificates must be completely filled out in detail as indicated by the blank forms furnished by the State Registrar to all local registrars. When the birth did not occur in a city or town, the direction and distance from the nearest postoffice must be stated.

It shall be the duty of all local registrars to require all physicians, midwives, coroners and undertakers to write legibly and with pen and ink when filling out or signing birth and death certificates.

A certificate illegibly written or written with any kind of a pencil is in violation of the law and will not be approved by the State Registrar.

Rule 15. When the "given name" of a living child does not appear in the birth certificate, the local registrar must deliver to the proper person a blank upon which a supplemental report may later be made, giving the full name of the child.

Rule 16. Every practicing physician, midwife and undertaker must register his name, address and occupation in the registration district in which he lives with the local registrar, who shall supply each with a copy of the law relating to registration of vital statistics, "together with the rules prepared by the State Registrar" relative to its enforcement.

Within thirty days after the close of each calendar year each local registrar is required by law to report to the State Registrar the name and address of every practicing physician and midwife registered and resident in his registration district during all or any part of the preceding calendar year.

Rule 17. All superintendents, managers or other persons in charge of state, county, city, public or private hospitals, sanitariums, alms houses, lying-in institutions, places for care of the insane, or any institutions to which persons resort for treatment of disease or injury or confinement, or to which persons are committed by process of law, must keep a record of "personal and statistical particulars relative to the inmates of their institutions" in a form as directed by the State Registrar.

Rule 18. All physicians, midwives, informants, undertakers, and all other persons having knowledge of the facts are "required to furnish such information as they may possess regarding any birth or death upon demand of the State Registrar, in person, by mail or through the local registrar."

Rule 19. In case of death from a communicable disease or when death has occurred without medical attendance, the local registrar must not issue a burial or removal permit until he is satisfied that there has been strict compliance with all laws and regulations covering such matters.

Each birth and death certificate must show the date of filing with the local registrar and its registered number, beginning with the first day of each calendar year. Birth and death certificates must be kept in two separate series. Each registrar must make a complete copy of every birth and death certificate upon a form identical with the original certificate to be preserved as a permanent local record.

On the fifth of each month the local registrar must forward to the State Registrar the original birth and death certificates for the preceding month, along with a monthly report card showing the number of birth and death certificates recorded. Should no births or deaths occur during any month the local registrar must forward to the State Registrar the regular monthly report card showing that fact.

Rule 20. The attending physician at time of death of any person must deliver to the proper person the required death certificate or be guilty of a misdemeanor.

Rule 21. Any physician or midwife in attendance upon a case of confinement or any person charged with responsibility for reporting births, who shall neglect or refuse to report as explained in Rule 13, will be guilty of a misdemeanor.

Rule 22. Any undertaker, person or firm furnishing a box, casket or coffin in which to bury a human body, or any person in any manner acting as an undertaker, who violates the requirements as stated in Rule 9, will be guilty of a misdemeanor.

Rule 23. Any registrar, deputy registrar, or subregistrar who shall refuse, fail or neglect to enforce the registration law and rules in his district, "or who shall neglect or refuse to perform any of the duties required by the law" or by the instructions and directions of the State Registrar, shall be deemed guilty of a misdemeanor.

Rule 24. "Any person who shall wilfully alter any certificate of birth or death, on file in the office of the local registrar, shall be deemed guilty of a misdemeanor."

Rule 25. Any person who shall violate any of the provisions of the registration law, or shall wilfully neglect or refuse to perform any duties imposed upon him by the registration law, or who shall furnish false information to a physician, midwife, undertaker or informant, for purpose of making incorrect certification of births or deaths, will be guilty of a misdemeanor.

Rule 26. Any transportation company or common carrier transporting or accepting through its agents or employes for transportation the body of a deceased person without an accompanying permit is guilty of a misdemeanor, provided, that in case the death occurred outside of this state and the body is accompanied by a certificate of death, or a burial or removal or transit permit issued according to law where the death occurred, such certificate or permit will authorize the transportation of the body into or through this state.

In case of the death of any person while upon a railway train within this state, the transportation company, without special permission from the State Registrar, must deliver the body of the deceased to an undertaker in the first town or city where an undertaker is available, and if there be no physician in attendance upon the train at the time of the death, notify immediately the coroner of the county in which the death occurred.

Rule 27. Local registrars must make immediate report of any violations of the law and rules. All registrars, when requested by the State Registrar, are required by law to aid in the investigation of any irregularities.

The Attorney General and all district attorneys on request of the State Registrar are required under the law to aid in enforcing the law by whatever legal means may be necessary.

TRANSPORTATION RULES for TRANSPORTATION OF THE DEAD

As Adopted by
Colorado State Board of Funeral Directors and Embalmers

1940

(Printed here merely for convenient reference)

Rule 1. The documentary authority required by the Colorado State Board of Health for transportation of a dead human body by common carrier shall consist of a transit permit duly issued upon a Burial-Transit Permit blank form furnished by the State Registrar of Vital Statistics, which shall be completely filled out. Such transit permit shall be attached to the shipping case in a strong envelope and shall accompany the remains to their destination.

Rule 2. In all cases in which embalming is required by law or by regulation, the body shall be embalmed by an embalmer duly licensed by the Colorado State Board of Funeral Directors and Embalmers.

Rule 3. Any body to be shipped by common carrier shall be embalmed if its condition permits. If embalming is not possible, or if the body is in a state of decomposition, it shall be shipped only after enclosure in a strong, tightly hermetically sealed case, which will prevent leakage or escape of odors.

Rule 4. No interred body, dead from any disease or cause, shall be disinterred without a permit duly issued upon the form prescribed by the State Registrar of Vital Statistics, which shall be completely filled out. For shipment of such disinterred body, the same documentary authority shall be issued as required in Rule No. 1 and the body shall be shipped only after enclosure in a strong, tightly hermetically sealed outer case which will prevent leakage or escape of odors.

Rule 5. Dead bodies in a receiving vault, when prepared by a licensed embalmer, if removed within fifteen days, shall not be regarded as disinterred bodies.

Rule 6. The outer case may be omitted in all instances when the casket is transported in hearse or funeral director's car.

REGULATION 72

a. In preparation of bodies for burial or transportation, the following precautions shall be taken by the embalmer when death has resulted from any communicable disease:

In case of death caused by a communicable disease, the body must be properly embalmed. The embalmer, before commencing the preparation of said body, shall don outer garments of rubber or cloth completely covering the body, rubber gloves and a cap to cover the hair. Upon leaving the room, these shall be removed and be placed in a bag wrapped in a sheet or other covering, all of which shall be disinfected by boiling in water as soon thereafter as possible. He shall also, before leaving, thoroughly disinfect his hands, giving especial attention to the fingernails.

b. All knives, trocars, needles, syringes and other instruments, and all vessels, sponges, gloves, cooling boards or other things taken into the room or used in embalming or otherwise in preparation of such dead bodies, shall be thoroughly disinfected immediately after being used.

c. All fluids or other matter removed from such bodies in the process of embalming shall be mixed with an equal quantity of a five per cent solution of either formalin or cresol compound for purpose of disinfection.

d. All bodies kept over 24 hours must be embalmed or properly refrigerated.

Funerals. No public funeral shall be permitted in case of death caused by cholera, diphtheria, leprosy, epidemic cerebrospinal meningitis (meningococcus meningitis, scarlet fever, plague, septic sore throat, small-pox and poliomyelitis).

The family of the deceased shall in all such cases limit the attendance to as few adults as possible, always excluding children, and shall take all necessary steps to prevent the exposure of other persons to contagion or infection. The body of any person who dies of any disease named in this regulation must be properly embalmed and placed in a closed casket. A glass or cellophane cover may be used to permit those in attendance to view the body.

COLORADO
STATE DIVISION OF PUBLIC HEALTH



PLUMBING

LAWS, RULES AND REGULATIONS
(Revised 1942)

Issued by the
COLORADO STATE BOARD OF HEALTH
424 State Office Building
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PLUMBING LAWS

Colorado Statutes Annotated 1935

CHAPTER 126. PLUMBERS

Section

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Section 1. State Board of Health make rules governing plumbing, etc. The State Board of Health, in pursuance of its general power of supervision over the interests of the health and life of the citizens of this state, and of the sanitary conditions under which they live, is hereby authorized and empowered to make, prescribe, enforce, amend and repeal rules and regulations governing the plumbing, drainage, sewerage, and plumbing ventilation of all buildings in this state, and thereby to establish and maintain minimum standards, which shall be uniform throughout the state, which rules and regulations shall have the force and effect of law, when not in conflict with the statutes of the State of Colorado, provided, however, that this act shall not be construed to deny any municipality the right to adopt and enforce such rules and regulations in the premises, as are not inconsistent with the laws of the state. [L. '17, p. 405, sec. 1.]

Sec. 2. Employes—Plumbing Inspector and Deputies—Terms—Salaries—Expenses. The State Board of Health is hereby authorized and empowered to employ, promote and discharge such assistants and employes as it may deem necessary to properly carry out the intent and pur-

pose of this act, and to fix and pay their compensation and salaries and to provide for their duties and the terms of their employment; provided, however, that the Governor of the State of Colorado shall appoint, with power of removal, one Chief Plumbing Inspector and such Deputy Plumbing Inspectors as the said board of health may deem necessary, each of whom shall be qualified from practical experience as a plumber, to make such inspections as may be necessary under this act, or as shall be provided for by the rules and regulations of the State Board of Health, and who shall hold office for the term of two years from the date of his appointment and until his successor has been appointed and qualified. The Chief Plumbing Inspector shall receive a salary of Twenty-four Hundred (\$2400) Dollars per annum, payable in monthly installments of Two Hundred (\$200) Dollars per month. The said Deputy Plumbing Inspectors shall receive such salary, not exceeding the sum of Fifteen Hundred (\$1500) Dollars per annum, as the State Board of Health in its rules and regulations may provide. The said inspectors and each of them shall be employes of the State Board of Health and subject to its rules and regulations. Each plumbing inspector shall be reimbursed for his actual traveling expenses by the State Board of Health. All compensation and salaries thus authorized and contracted for, and all expenses incurred by the State Board of Health in the operation of this act shall be provided for and paid out of the general fund of the state treasury and charged against the appropriation account of the State Board of Health set aside for the enforcement of this act. [L. '17, p. 406, sec. 2.]

Sec. 3. Licenses and permits. The State Board of Health is hereby authorized and empowered to grant and issue licenses and permits to persons desiring or intending to engage in the trade, business or calling of journeyman plumber or master plumber, in the manner and upon the terms and conditions hereinafter provided. [L. '17, p. 406, sec. 3.]

Sec. 4. Examining Board of Plumbers. The State Board of Health is hereby authorized, empowered and directed to prescribe, amend and enforce rules and regulations consistent with this act for the examination and licensing of journeymen plumbers and master plumbers, and said board shall for this purpose, within sixty days after this act becomes a law, appoint, with the power of removal, three plumbing examiners, of which one shall be a journeyman plumber, one a master plumber, one a member or employe of the State Board of Health to be known as "The Examining Board of Plumbers" whose duties shall be to examine, as to their fitness and qualifications, all persons applying to the State Board of Health for licenses to engage in the business, trade or calling of a journeyman plumber or a master plumber, and to promptly certify the results thereof to the said board of health. [L. '17, p. 407, sec. 4.]

Sec. 5. Compensation of Board. Each member of said Board of Examiners, except a paid officer, member or employe of the State Board of Health, shall receive compensation of ten dollars per day and expenses for each day in which such member is actually engaged in attendance upon the meetings of the board, to be audited and paid out of the general

fund of the state treasury and charged against the appropriation account of the State Board of Health, set aside for carrying into effect the provisions of this act. [L. '17, p. 407, sec. 5.

Sec. 6. Board may authorize one member to conduct examinations. The State Board of Health may, if it deems it necessary so to do, authorize and empower one member only of said examining board of plumbers to hold and conduct a certain specific examination, and report the result thereof as herein provided for. [L. '17, p. 407, sec. 6.

Sec. 7. License—Issuance. The State Board of Health shall issue licenses to such persons as have by said examination shown themselves fit, competent and qualified to engage in the business, trade or calling of a journeyman plumber or master plumber, as the case may be. [L. '17, p. 407, sec. 7.

Sec. 8. License—Revocation—Hearing. The State Board of Health shall have power to revoke any journeyman or master plumber's license if the same was obtained through error or fraud, or if the recipient thereof is shown to be grossly incompetent or has a second time wilfully violated any of the rules or regulations prescribed by said board; provided, that before any license shall be revoked, the holder thereof shall have written notice enumerating the charges against him, and shall be given a hearing by said board, and have an opportunity to produce testimony in his behalf, at a time and place specified in said notice, which time shall not be less than five days after the service thereof. The State Board of Health shall have power to appoint, by an order in writing, its secretary or any competent person to take testimony, who shall have power to administer oaths, issue subpoenas and compel the attendance of witnesses, and the decision of the State Board of Health shall be based upon its examination of the testimony taken and the records produced. Any person whose license has been revoked may, after the expiration of one year from the date of such revocation, but not before, apply for a new license. [L. '17, p. 408, sec. 8.

Sec. 9. Plumber must have license. No person shall hereafter engage in or work at the business, trade or calling of a journeyman plumber or of a master plumber in this state, until he shall have received from the State Board of Health a license either as a journeyman plumber or as a master plumber, as the case may be. [L. '17, p. 408, sec. 9.

Sec. 10. Installation work in charge of master plumber. Any person, firm or corporation desiring to engage in or work at the business of installing plumbing, or who shall install plumbing in connection with the dealing in or selling of plumbing material and supplies, shall be required to have a master plumber in charge at all times, who shall be responsible for the proper installation of such plumbing, and no such plumbing shall be installed in any building throughout the state, excepting in cities of the first class, without a permit first being secured from the State Board of Health; provided, that any person, firm or corporation selling or dealing in plumbing materials or supplies, but not engaged in the installation, alteration, repairing or removal of plumbing, shall not be required to employ or have a licensed Master Plumber in charge, as in this section

provided; provided, however, that the provisions of this act shall not apply to any person or persons doing plumbing on his or their property; provided, further, that such person or persons perform such plumbing in accordance with the rules and regulations otherwise of the State Plumbing Code. [L. '29, p. 504, sec. 1, amending L. '17, p. 408, sec. 10.]

Sec. 11. Existent plumbers licensed without examination. All journeymen plumbers and master plumbers actually engaged in business as such at the time this act goes into effect may, within sixty days thereafter, procure a license as a journeyman plumber or master plumber, as the case may be, without examination, upon payment of the license fee herein required. All persons applying after the expiration of said sixty days for a license, shall be required to take the examination herein provided for, and satisfy the State Board of Health of their fitness and qualifications, except as herein otherwise provided. [L. '17, p. 409, sec. 11.]

Sec. 12. Temporary permits. The State Board of Health may issue temporary permits to engage in the work of a master plumber or a journeyman plumber on payment of the fees prescribed in this act for licenses in such case, and such permits may be revoked by the State Board of Health at any time, and if thereafter, upon examination, a license is granted, the fee paid for the permit shall apply on the license, which will run from the date of said permit. For the purpose of assisting in its work of issuing such temporary permits, the said board of health may appoint agents without compensation. [L. '17, p. 409, sec. 12.]

Sec. 13. Apprentice—Temporary permit to act as journeyman. Any person who has worked as an apprentice at the business, trade or calling of plumbing for such a length of time as the State Board of Health may prescribe in its rules and regulations, and who desires to take an examination to entitle him to a license as a journeyman plumber, may file his application for such examination with the State Board of Health, as herein provided, and said board may thereupon grant the applicant a permit to pursue said work in the capacity of a journeyman plumber until such time as the examining board shall have an opportunity to examine him. [L. '17, p. 409, sec. 13.]

Sec. 14. Licensees from other states. The said board of health may license without examination, upon the payment of the required fee, applicants who are duly licensed under the laws of other states having requirements for the licensing and regulating of plumbing, deemed by the said board of health to be equivalent to the requirements of the state in the matter. [L. '17, p. 410, sec. 14.]

Sec. 15. Expiration of licenses. All licenses issued during any year, unless sooner revoked, shall expire on December 31st of that year. [L. '17, p. 410, sec. 15.]

Sec. 16. Master plumber to have privilege of journeyman. A master plumber's license shall entitle the owner thereof to all the rights and privileges of a journeyman plumber. [L. '17, p. 410, sec. 16.]

Sec. 17. Renewal of license. A license once issued under this act may be renewed at any time during the month of January in the year

following its issuance on the payment of the renewal fee herein specified, and such a license may be renewed at any time during the month of February in the year following its issuance by the payment of the revival fee herein specified. [L. '17, p. 410, sec. 17.]

Sec. 18. Fees. The following shall be the fees charged in this act by the State Board of Health, to-wit:

Master Plumber's License.....	\$15.00
Renewal of Master Plumber's License.....	10.00
Journeyman Plumber's License or Permit.....	5.00
Renewal of Journeyman Plumber's License.....	1.00
Revival License Fee for Master Plumber.....	20.00
Revival License Fee for Journeyman Plumber.....	5.00
Examination Fee for Master Plumber.....	15.00
Special Examination Fee for Master Plumber.....	25.00
Examination Fee for Journeyman Plumber.....	5.00
Installation Permit up to Five Fixtures.....	2.00
Installation Permit for Each Additional Fixture.....	.25

[L. '29, p. 505, sec. 2, amending L. '17, p. 410, sec. 18.]

Sec. 19. Disposition of fees. All moneys received by the State Board of Health under the terms and provisions of this act shall be paid within one week of their receipt into the general fund of the state treasury, and all such moneys are hereby set aside and appropriated to the State Board of Health, to carry into effect the provisions of this act. [L. '17, p. 410, sec. 19.]

Sec. 20. Cities of the first class—Municipal inspectors. The board of health in each city of the first class of this state shall appoint, with the power of removal, one or more inspectors of plumbing, who shall be practical plumbers, duly licensed under this act, who shall not have been engaged in the occupation of a master plumber for at least three months prior to their appointment. The compensation of such inspectors shall be determined by the board appointing them and shall be paid from the city or town treasury; they shall inspect all plumbing work in the city for which appointed, whether such work shall be new or consist of alterations and repairs, and shall report to the board appointing them all violations of any law, ordinance, by-law or the rules and regulations of the State Board of Health, relating to such work, and shall perform such other appropriate duties as may be required. [L. '17, p. 411, sec. 20.]

Sec. 21. Municipal rules and regulations. Each city of the first class shall, and any city or town of this state may, by ordinance or by-laws, prescribe rules and regulations for the materials, construction, alteration and inspection of all pipes, faucets, tanks, valves and other fixtures by and through which supply or waste water or sewage is used or is carried, and provide that they shall not be placed in any building therein except in accordance with plans which shall be approved by the board of public works, where such board exists, or the board of health of such city or town, or such person or persons as either of said boards may designate; and shall further provide that no plumbing shall be done, except in case of

repairing of leaks, without a permit being first issued therefor upon such terms and conditions as such city or town shall prescribe; provided, that no such ordinance, by-law, rule or regulation prescribed by any such city or town shall be inconsistent with this act or any rule or regulation adopted or prescribed by the State Board of Health. [L. '17, p. 411, sec. 21.

Sec. 22. Definitions. For the purpose of this act the words and phrases used in this act and in this section set forth, are defined to have the following meaning, to-wit:

A "Journeyman Plumber" is hereby defined to be any person other than a master plumber who engages in or works at the actual installation, alteration, repair and renovating of plumbing.

A "Master Plumber" is hereby defined to be any person skilled in the planning, superintending and practical installation of plumbing and is familiar with the laws, rules and regulations governing the same, who is engaged in this business as owner or supervisor.

A "Plumber's Apprentice" is hereby defined to be any person other than a journeyman or master plumber who, as his principal occupation, is engaged in learning and assisting in the installation of plumbing.

"Plumbing" is hereby defined to be the installing, alteration and repairing of all plumbing fixtures and fixture traps and/or the soil, waste and vent pipes with their devices, appurtenances and connections, through which waste, sewage and air are carried within or adjacent to the building. [L. '29, p. 506, sec. 3, amending L. '17, p. 412, sec. 22.

Sec. 23. Violation of act—Penalty. Any person who shall engage in the trade, business or calling of a master plumber or of a journeyman plumber, without a permit or a license, as provided for by this act, or who shall violate any of the provisions of this act, or the rules and regulations of the State Board of Health herein provided for, or who shall refuse to perform any duty lawfully enjoined upon him by the State Board of Health, within the prescribed time, or who shall fail, neglect or refuse to obey any lawful order given or made by the State Board of Health, or a decree or judgment of court in the matter, shall be guilty of a misdemeanor and shall be subject to a fine of not less than \$10.00 or more than \$50.00, or to imprisonment in the county jail not exceeding thirty days, for each and every violation thereof. Each day of such violation shall constitute a separate offense. The Justices of the Peace in the several counties of the state are hereby given jurisdiction in the premises. [L. '17, p. 412, sec. 24.

THE STATE PLUMBING CODE

As Approved by the Colorado State Board of Health March 30, 1937.

Amended August 5, 1941.

(All previous rules and regulations are hereby repealed.)

Article I

DEFINITIONS

Section 1. For the purpose of this Code the words and phrases used in this Code are defined to have the following meaning, to-wit:

1. **Plumbing.** Plumbing is the art of installing, altering, remodeling, changing and/or repairing all plumbing fixtures and fixture traps and/or the soil, waste, vent pipes, water distributing pipes and hot and cold water storage tanks, with their devices, appurtenances and connections, all within or adjacent to the building; and all other work contributing to the sanitary operation of a plumbing system.

2. **Plumbing Inspector.** When the words "Plumbing Inspector" are used they mean any person charged with the enforcement of the provisions of this Code.

3. **Plumbing System.** The plumbing system of a building includes the water distributing pipes, fixtures and fixture traps, soil, waste and vent pipes, house drain and house sewer, and storm water drainage, with their devices, appurtenances and connections all within or adjacent to the building.

4. **Plumbing Fixtures.** Plumbing fixtures are receptacles intended to receive and discharge water, liquid or water-carried wastes into a drainage system with which they are connected.

5. **Sanitary Plumbing.** Sanitary plumbing is understood in this Code to denote plumbing so designed and installed that it can be kept clean, is free from defects in construction and conforms in every particular to the provisions of this Code.

6. **Water Service Pipe.** The water service pipe is the pipe from the water main to the building served.

7. **Storm Water Drain.** The storm water drain is any pipe or drain which receives the discharge of rain water from buildings or premises, and may include the discharge of seepage or ground water and convey the same to any public sewer, building sewer or watercourse.

8. **Water Distribution Pipes.** The water distribution pipes are those which convey water from the service pipe to the plumbing fixtures.

9. **Vent Pipe.** A vent pipe is any pipe provided to ventilate a building drainage system and to prevent trap siphonage and back pressure.

10. **Continuous Vent.** A continuous vent is a pipe extending vertically above the soil or waste branch.

11. **Circuit Vent.** A circuit vent is a pipe which vents a series of fixture traps on the same soil or waste branch and which is continued

through the roof or reconnected into a vent stack above all fixture trap branches.

12. **Unit Vent.** A unit vent is one which denotes an installation so arranged that one pipe will serve two traps.

13. **Return Vent.** A return vent is an inverted emergency vent extended above the water line of the fixture and returned back to a point of connection with the horizontal run of the waste pipe from the fixture served on the sewer side of the branch waste from the fixture.

14. **Soil Vent.** A soil vent is that part of a stack which extends above the highest installed water closet.

15. **Waste Vent.** A waste vent is that part of a stack which extends above the highest installed fixture trap other than a water closet.

16. **Stack Vent.** A stack vent is a pipe connecting to the side inlet of a fitting venting a water closet.

17. **Wet Vent.** A wet vent is a pipe used to vent a trap which is also used as a waste pipe from another trap.

18. **Revent.** A revent, or back vent, is that part of a vent pipe line which connects directly with an individual trap, underneath or back of the fixture, and extends either to the main or branch vent pipe.

19. **Local Ventilating Pipe.** A local ventilating pipe is a pipe through which foul air is removed from a room or the house side of a fixture.

20. **Sewage.** Sewage is any liquid waste containing animal and vegetable wastes in suspension or solution, and may include liquids from laboratories or industrial institutions containing minerals in solution.

21. **House Sewer.** The house sewer is that part of the horizontal piping of a drainage system extending from the house drain to its connection with the main sewer, sewage treatment tank, leaching well or cesspool.

22. **Cross-Connections.** A cross-connection is any connection between a SAFE water supply and UNSAFE water source or waste pipes of a plumbing system through which it is possible to contaminate a SAFE water supply.

23. **Septic or Sewage Treatment Tank.** A septic or sewage treatment tank is a water-tight receptacle so constructed as to promote the separation and decomposition of raw sewage which, by bacterial action and sedimentation, effects a process of clarification but does not purify the effluent.

24. **Leaching Well or Cesspool.** A leaching well or cesspool is any pit or receptacle having porous walls which permit seepage into the ground.

25. **Building.** An architectural structure covered by one roof having enclosing walls with doors and windows therein.

26. **Private Dwelling.** A private dwelling is understood in this Code to be any building used only for living purposes and occupied by not more than one family.

27. **Rural or Isolated Residences.** Rural or isolated residences are understood in this Code to be those situated at such a distance from a public sewer system that their drainage systems cannot become tributary thereto.

28. **Trap.** A fixture trap is a fitting or device so constructed as to prevent the passage of air or gas through it without materially affecting the flow of sewage or waste water through it.

29. **Trap Seal.** The trap seal is the vertical distance between the crown weir and the depth of the trap.

30. **Durham System.** The Durham System of plumbing is an installation of waste and soil pipes constructed of brass, galvanized wrought iron, galvanized steel or cast iron pipes joined together by means of threaded drainage fittings.

31. **Fireproof Walls.** Fireproof walls are those made of masonry, brick, concrete or other non-inflammable material. Wood studs covered with metal lath, plaster board or similar material are not classed as fireproof.

32. **Lead and Soil System.** A lead and soil system of plumbing is an installation of soil and waste pipes constructed of lead and cast iron soil pipes joined together by means of wiped and calked joints.

33. **Subsoil Drain.** The subsoil drain is that part of a drainage system which conveys the subsoil, ground or seepage water from the foot of walls or from below the cellar bottom under buildings to the building drain, storm water drain or building sewer.

34. **Subhouse Drain.** The subhouse drain is that portion of a sanitary drainage system which cannot drain by gravity into the house drain.

35. **Waste Pipe and Special Waste.** A waste pipe is any pipe which receives the discharge from any fixture, except water closets or similar fixtures, and conveys the same to the house drain, soil or waste stacks. When such pipe does not connect directly with a house drain or soil stack it is termed a special waste.

36. **Soil Pipe.** A soil pipe is any pipe which conveys the discharge of water closets with or without the discharges from other fixtures.

37. **House Drain.** The house drain is that part of the lowest horizontal piping of a house drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of any building and conveys the same to the house sewer beginning three feet outside the outer face of the building wall.

38. **Main.** The main is any system of horizontal, vertical or continuous piping which receives the wastes, vents or revents from fixture outlets or traps directly or through branch pipes.

39. **Branch.** The branch of any system of piping is that part of the system which extends horizontally at a slight grade, with or without lateral or vertical extensions or vertical arms, from the house drain to receive fixture outlets not directly connected to the house drain.

40. **Stack.** Stack is a general term for any vertical line of soil, waste or vent piping.

41. **Conductors.** Conductors, or roof leaders, are pipes which carry the storm or rain water from the roof of buildings to the building sewer or storm water drain. Down spout is a term which is frequently used to denote the vertical portion of conductors, or roof leaders.

42. **Dead Ends.** A dead end is a branch leading from a soil, waste, vent, building drain or building sewer which is terminated at a developed distance of two (2) feet or more by means of a cap, plug or other fitting not used for admitting water to the pipe.

43. **Size and Length.** The given caliber or size of pipe is for a nominal internal diameter. The developed length of a pipe is its length along the center line of pipe and fittings.

44. **Wiping a Joint.** Wiping a joint is a method of joining together two pieces of metal, to which the solder is applied on the joint to a uniform heat sufficient to attain a smooth, neatly-wiped finish, and having a thickness of solder over that part of the joint where the metals join of not less than one-fourth inch.

45. **Roughing-in.** Roughing-in is the placing of all that part of a drainage or vent system which can be completed before the plumbing fixtures are installed.

46. **Shall, Should, May.** The word "shall" when used in the Plumbing Code is mandatory; "should" is not mandatory but expresses the recommendation of the Board of Health; "may" implies neither compulsion nor recommendation, only permission.

Article II

GENERAL REGULATIONS

Sec. 2. Grades and Supports of Horizontal Piping. All horizontal piping shall be run at a uniform grade of not less than one-eighth ($\frac{1}{8}$) of an inch per foot, and shall be supported or anchored at intervals not to exceed ten (10) feet. All stacks shall be supported at their base and all pipes shall be permanently secure.

Sec. 3. Change in Direction. All changes in direction shall be made by the appropriate use of forty-five (45) degree wyes, half wyes, long sweep quarter bends, sixth, eighth or sixteenth bends, sanitary tees, side opening sanitary tees and quarter bends. A sanitary cross shall be used on vertical stacks not less than four (4) inches in diameter for floor outlet fixtures only. Short quarter bends may be used only where the change of direction of flow is from the horizontal to the vertical and in lieu of closet bends by means of lead or soil stubs. Tees, crosses and quarter bends may be used in vent pipes.

Sec. 4. Prohibited Fittings. No double hub, tee, double tee or quarter bend with heel inlet shall be used on soil or waste lines. Permission shall be secured for the use of twin ells. The drilling and tapping of house drains, main, soil or waste pipes and the use of saddle hubs and bands for waste and vent pipe connections, Raymond ferrules, drive ferrules or similar ferrules are strictly prohibited.

Sec. 5. Dead Ends. In the installation of any drainage system, dead ends shall be avoided.

Sec. 6. Workmanship—Record of Sales. Workmanship shall be of a character to secure the results sought to be obtained in all sections of this Code and when any plumbing fixtures requiring a proper connection to the waste and vent lines, as provided for in this Code, are sold to other than licensed master plumbers, a report of the date of sale, number of fixtures and point where shipped shall be made to the State Plumbing Inspector.

Sec. 7. Installation of Plumbing by Owner. All plumbing installed by the owner shall comply with the requirements of this Code and in such event the word "owner" shall be substituted for the word "plumber" throughout this Code.

Sec. 8. Installation of Durham System. The Durham System of Plumbing shall be installed only in the following instances: In buildings of reenforced concrete construction; in fireproof floors and walls; when exposed on already existing finished walls or ceiling above the first floor; *provided*, however, that cast iron closet bends may be used in concrete floors in other types of construction.

Sec. 9. Drain Pipes Not Less than Three Feet from Wall. Drainage pipes used for house drain or house sewer, when constructed of tile or any other material allowing leakage, shall be situated not less than three (3) feet from the wall of any inhabited building when laid parallel with or in the same direction of said wall. If less distance is unavoidable, cast iron soil pipe shall be used.

Sec. 10. Drain Pipes Under Building. No pipes other than cast iron shall be installed under the ground when used for soil, waste or vent.

Sec. 11. Subsoil Drains. Where subsoil drains are used the same shall be equipped with backwater trap before entering the house drain or house sewer.

Sec. 12. Dwellings, etc. Number of Water Closets and Privies. How Connected. Every person who shall be the owner, lessee, keeper or manager of any tenement house, boarding house, lodging house, workshop, manufactory, dance hall, restaurant or amusement park, shall provide or cause to be provided for the accommodation thereof and for the use of the tenants, lodgers, boarders, workers or patrons thereof, adequate toilet rooms with water closets or approved privies; said toilet rooms and privies shall be adequately ventilated and shall be at all times kept in such cleanly and wholesome condition as not to be offensive, dangerous or detrimental to health; and no offensive smell of gasses from or through any outlet or sewer, or through any such water closets or privy, shall be allowed by any person aforesaid to exist on such premises or any part thereof. In all places of employment where men and women are employed, sufficient water closets or approved privies shall be provided. Water closets for men shall be plainly marked "Men's Toilet," and water closets for women shall be plainly marked "Women's Toilet." Wherever provided, water closets and urinals shall be installed for every twenty males or less num-

ber, and one water closet shall be installed for every fifteen females or less number. Such water closet facilities shall be furnished upon at least every second floor or other approved location.

Article III

QUALITY AND WEIGHTS OF MATERIALS

Sec. 13. All materials used in any drainage or plumbing system shall be free from defects which would cause insanitary conditions.

Sec. 14. Cast Iron Pipe, etc. All cast iron soil pipe and fittings shall be standard or extra heavy. When used underground, shall be coated with asphaltum or coal tar pitch.

Sec. 15. Wrought Iron and Mild Steel Pipe. All wrought iron and all steel pipe shall be galvanized. The use of conduit, black iron or black steel pipe is prohibited.

Sec. 16. Lead Pipe. All lead drain pipe shall be of best quality and of not less weight per linear foot than

1"	—2 lbs., 8 oz.
1¼"	—3 lbs., 0 oz.
1½"	—4 lbs., 4 oz.
2"	—6 lbs., 0 oz.
Lead Bends	—8 lbs., 0 oz.
Drum Traps	—8 lbs., 0 oz.

Sec. 17. Threaded Fittings.

(a) Plain screwed vent fittings shall be of cast iron, malleable iron, brass of standard weight and dimensions.

(b) Drainage fittings shall be cast iron with smooth interior waterway and threads tapped out of solid metal.

(c) All cast iron fittings used for water supply distribution shall be galvanized.

(d) All malleable fittings shall be galvanized.

Sec. 18. Calking Ferrules. Brass ferrules shall be of the best quality red cast brass not less than four and one-half ($4\frac{1}{2}$) inches long and two and one-quarter ($2\frac{1}{4}$), three and one-half ($3\frac{1}{2}$) and four and one-half ($4\frac{1}{2}$) inches in diameter.

Sec. 19. Soldering Nipples, Vent Couplings and Bushings. Soldering nipples shall be of heavy cast brass or brass pipe of iron pipe size. Vent couplings shall be heavy ground-faced cast brass.

Sec. 20. Floor Flanges for Water Closets, Slop Sinks and Urinals. They shall be not less than three-sixteenths ($\frac{3}{16}$) of an inch thick for cast iron and not less than one-eighth ($\frac{1}{8}$) of an inch thick for brass.

Sec. 21. New Materials. Any other material than that specified in this Code, which the State Plumbing Inspector approves as being equally efficient, may be permitted.

Article IV

JOINTS—CONNECTIONS

Sec. 22. Water and Air-Tight Joints. All joints and connections mentioned in this Code shall be made permanently gas and water-tight.

Sec. 23. Vitrified Pipe. All joints in vitrified clay or concrete or between vitrified clay pipes, concrete pipe or metal pipe, shall be made of mortar composed of one part Portland cement and two parts clean, sharp sand and troweled smooth. No surplus mortar or other foreign material shall project into the pipe from the joint.

Sec. 24. Calked Joints. All calked joints shall be firmly packed with oakum or hemp and shall be secured only with molten lead, not less than one inch deep, well calked, and no paint, varnish or putty will be permitted until after the joint is tested.

Sec. 25. Screw Joints. All screw joints shall be American screw joints and all burs or cuttings shall be removed.

Sec. 26. Cast Iron. Cast iron joints may be either calked or screw joints made in the approved manner.

Sec. 27. Wrought Iron, Steel or Brass to Cast Iron. The joints may be either screwed or calked joints made in the approved manner.

Sec. 28. Lead Pipe. Joints in lead pipe or between lead pipe and brass, calking ferrules, soldering nipples, soldering bushings, ground-faced vent couplings and traps shall be full wiped joints. Also, the joint between traps and soldering bushings shall be a wiped joint.

Sec. 29. Lead to Cast Iron, Steel or Wrought Iron. Connections between lead and cast iron shall be made by means of brass calking ferrule. Brass soldering nipples and brass ground-faced vent couplings shall be used in connecting lead to galvanized iron vents.

Sec. 30. Slip Joints and Unions. Slip joints shall be permitted only in trap seals or on the inlet sides of the trap. The use of unions is prohibited on waste pipes and below the water level of the fixture on vent pipes.

Sec. 31. Long Screws. Long screws shall be installed only when given a water test.

Sec. 32. Roof Joints. The joint at the roof shall be made tight by means of copper, galvanized iron or lead flashing.

Sec. 33. Floor Connections for Water Closets, Pedestal Urinals, Floor Outlet Sinks and Similar Fixtures. When set on a wooden floor a lead connection shall be installed between the fixture and the soil pipe or main. When set on concrete floor an iron flange calked to cast iron pipe, an iron flange calked or screwed to wrought iron pipe and the floor connection of the fixture bolted to the floor flange, may be used. A metal to earthenware, metal to metal union, lead gasket, asbestos washer, or equivalent, shall be used to make a gas and water-tight joint.

Sec. 34. Increasesers and Reducers. Where different sizes of pipes and fittings are to be connected, proper size increasesers or reducers shall be used.

Sec. 35. Prohibited Joints and Connections. Any fitting or connection which has a chamber or recess with a ledge shoulder or reduction of the pipe area in the direction of the flow, which would obstruct or retard the flow on the outlet or drain side of any trap, is prohibited.

Sec. 36. Expansion Bolts. Connections of wall hangers, pipe supports or fixture settings with masonry, stone or concrete, shall be made with expansion bolts without the use of wooden plugs.

Article V

TRAPS AND CLEANOUTS

Sec. 37. Traps for lavatories, sinks and similar fixtures shall be lead, brass or cast iron P or S pattern. Traps for bath tubs and laundry trays shall be drum traps and may be of lead, brass or cast iron except that brass or cast iron drum traps may be used only where the trap is embedded in concrete or where the Durham System is installed. Shower traps or floor drains may be used for shower baths.

The minimum size (nominal inside diameter) of trap and waste branch for a given fixture shall not be less than shown in the following table:

Kind of Fixture	Size of Trap	Size of Branch Waste
Bath Tub.....	4"x8" drum	1½"
Bath Shower Stall.....	4"x6" or 2" floor drain	1½"-2"
Bath Sitz.....	4"x8" drum	1½"
Bath Foot.....	4"x8" drum	1½"
Drinking Fountains.....	1¼"	1¼"
Dental Cuspidors.....	4"x8" drum	1¼"
Floor Drains.....	2"	2"
Laundry Trays.....	4"x8" drum	1½"
Sinks, Kitchen, Residence.....	1½"	1½"
Sink, Hotel or Public.....	2"	2"
Sink, Small Pantry.....	1¼"	1¼"
Soda Fountains, Bar.....	4"x8" drum	1½"
Sink, Slop with trap combined.....	2"	2"
Sink, Slop, Ordinary.....	1½"	1½"
Urinal Lip.....	1½"	1½"
Urinal Trough.....	1½"	1½"
Urinal Pedestal.....	3"	3"
Urinal Stall.....	2"	2"
Wash Basin.....	1¼"	1¼"
Water Closet.....	3"	3"

(Exception) When two bath tubs back-to-back are connected to one common waste the waste shall be increased to two (2) inches in diameter at the point where the connection is made from the trap nearest the soil or waste stack.

A combination fixture consisting of sink and one laundry tray may be connected to one 4"x8" drum trap **only** in cases of remodeling or replacement.

Sec. 38. Traps Prohibited. No form of trap, which depends for its seal upon the action of movable parts, concealed interior parts or made of fittings, shall be used for fixtures. The use of bell traps is strictly prohibited.

Sec. 39. Traps Where Required. Each fixture shall be separately trapped by a water seal trap placed not more than twenty-four (24) inches from the fixture outlet opening, and when so placed the waste pipe on the house side of the trap shall be so arranged that it will completely drain.

In no case shall the waste from a fixture discharge into a water closet trap except where there is danger of freezing. No fixture shall be double-trapped.

Sec. 40. Water Seal. Each fixture trap shall have a water seal of not less than one and one-half ($1\frac{1}{2}$) inches and not more than four (4) inches.

Sec. 41. Trap Cleanouts. Each trap, except those in combination with fixtures in which the trap seal is plainly visible and accessible, shall be provided with an accessible brass trap screw of ample size, protected on the sewer side by the water seal. Drum traps, when made of lead, shall have the trap screw ring wiped to the body of the trap. The accessible trap return bend, when connected by union joints, will be considered the equivalent of a trap screw.

Sec. 42. Trap Levels and Protection. All traps shall be set true with respect to their water seal and protected from freezing and evaporation.

Sec. 43. Pipe Cleanouts. Pipe cleanouts may be installed at the option of the owner or architect and, when so installed, the bodies of cleanout ferrules shall be the nominal size as the pipe up to and including four (4) inches in diameter, and shall conform in thickness to that required for pipe and fittings of the same metal and extend not less than one-quarter ($\frac{1}{4}$) of an inch above the hub. The cleanout cap or plug shall be of heavy brass or cast iron not less than one-eighth ($\frac{1}{8}$) inch thick and be provided with raised nut or recessed socket for removal.

Sec. 44. Underground Traps. No traps shall be installed underground, except where there is danger of freezing.

Sec. 45. Grease Traps Required. The installation of grease traps in connection with municipal sewerage systems is recommended by the State Board of Health but their installation shall be governed by local ordinances or provisions.

All waste containing grease, when served by private septic tank or cesspool, shall be intercepted by a grease trap before entering the house drain, house sewer or final disposal.

Inside grease traps shall be used only when it is impractical to install an outside trap. They shall be of ample capacity and design with a minimum grease capacity of not less than six (6) pounds.

Outside grease traps shall be of not less than fifty-five (55) gallon capacity—made of impervious material and water-tight. They shall be located outside the foundation wall of the building and as close as possible to the fixture they serve.

Connections from the fixtures to outside grease traps shall be made of either lead or cast iron. The flow pipe from the trap shall be not less than three (3) inches in diameter. (Exception) Single mountain cabins, summer homes and tourist camp cottages which are not occupied to exceed 120 days in each year, will not be required to install grease traps unless the waste is connected to a municipal sewerage system wherein they are required.

Sec. 46. Sand Traps. Sand traps shall be installed in all garages and other establishments equipped with washracks, and shall be of a design as recommended by the Colorado State Board of Health.

Sec. 47. Floor Drains. Floor drains shall connect into a trap so constructed that they can be readily cleaned and of a size to efficiently serve the purpose for which they are intended, and, when subject to evaporation, shall be equipped with an automatic trap seal valve. When placed more than ten (10) feet from the stack, house drain or branch waste which is vented, they shall be vented with not less than two (2) inch pipe when run horizontally and may be reduced to one and one-fourth (1¼) inch pipe when vertical. The drain inlet shall be so located as to be in full view. When subject to backflow or backpressure it shall be provided with an adequate backwater valve.

Sec. 48. Backwater Valves. Backwater valves shall have all bearing parts or balls of noncorrodible material and be so constructed as to insure a positive seal.

Article VI

WATER SUPPLY AND DISTRIBUTION

Sec. 49. Quality of Water. The quality of water shall meet accepted standards of purity.

Sec. 50. Distribution. The water supply for drinking or domestic purposes shall be distributed through a piping system entirely independent of any piping system conveying another water supply which is not approved for drinking purposes.

Sec. 51. Water Supplies to Fixtures—Cross-Connections. All plumbing fixtures shall be provided with a sufficient supply of water to keep them in a sanitary condition. Every water closet, pedestal urinal or similar fixture shall be flushed by means of an approved tank or flush valve (Flushometer) of at least five (5) gallons capacity for water closets and at least two (2) gallons for urinals, and the water from said tank or flush valve shall be used for no other purpose.

No water closet, urinal or similar fixture shall be supplied from a water system through a flushometer or similar device unless the same is equipped with an approved vacuum breaker placed not less than four (4) inches above the rim of the fixture which it serves and be supplied with a stop valve on the house side of the supply to the same.

Cross-Connections Prohibited. No cross-connection between a SAFE water supply and a house drain or house sewer, plumbing fixture or any appurtenances thereto, shall be installed.

Sec. 52. Water Supply Pipes and Fittings, Material. No pipe or fittings, which have been used for other purposes, shall be used for distributing water used for drinking or domestic purposes.

Sec. 53. Relief Valves. Wherever a check valve or meter is installed on the cold water house supply to an automatic or side arm gas water heater, there shall be a substantial relief valve installed on the water line where practical.

Sec. 54. Well Water Pumps and Hydrants. All pumps and hydrants, together with their piping and connections, shall be installed so as to prevent the possibility of the entrance of surface water or any other means of contamination.

Article VII

PLUMBING FIXTURES

Sec. 55. Materials. All receptacles used as water closets, toilets, urinals or otherwise for the disposal of human waste, shall be of vitrified earthenware or cast iron porcelain enameled on the inside.

Sec. 56. How Installed. All plumbing fixtures shall be installed in a manner to afford access for cleaning. When practical, all pipes from fixtures shall be run to the wall.

Sec. 57. Water Closet Bowls. Water closet bowls shall be made in one piece of vitreous china and of such form as to hold a sufficient quantity of water when filled to the trap overflow to prevent fouling of surfaces, and shall be provided with an integral flushing rim constructed so as to flush the entire interior of the bowl.

Sec. 58. Prohibited Fixtures. No dry or chemical closet shall be installed in a building used for domestic, educational, amusement, manufacturing or serving and storage of food.

Wooden or concrete sinks.

New or second-hand copper-lined bath tubs or other fixtures which may create an insanitary condition or a possible cross-connection.

Frostproof or Hopper closets, porcelain enameled cast iron water closets and galvanized iron trough urinals are strictly prohibited in all instances.

Sec. 59. Water Closet Seats. All seats of water closets provided for public use shall be of the open front type. Public use shall include all tourist camps, public rest rooms, restaurants and schools.

Sec. 60. Shower Drains. A shower drain shall be considered a fixture.

Sec. 61. Fixture Strainers. All fixtures, other than water closets and pedestal urinals, shall be provided with fixed metal strainers.

Sec. 62. Fixture Outlets. The overflow pipe from a fixture shall be connected on the house or inlet side of the trap.

Sec. 63. Utility Openings. A utility opening for inspection and repairs shall be provided where the waste, trap and supplies are concealed on built-in bathtubs and similar fixtures.

Article VIII

VENTILATION OF ROOMS AND FIXTURES

Sec. 64. Location of Fixtures. No trapped plumbing fixtures, except bedroom lavatories, shall be located in a room or apartment which does not contain a window placed in the external wall, or otherwise provided with local ventilation. The minimum size of the local ventilation opening shall be not less than forty-eight (48) square inches and the connecting duct thereto shall have an area not less than twenty-four (24) square inches. When the local ventilation duct is used for more than one room it shall be increased in size at least one-third ($\frac{1}{3}$) for each room.

Sec. 65. Ventilating Pipe—How Connected. Local ventilating pipes from fixtures or rooms shall be separate and distinct and have no connection whatever with the other ventilating ducts or pipes in the building.

Sec. 66. Gas Water Heaters—Vents. No gas or oil water heaters shall be installed or, if installed, be permitted to remain in any bath room, toilet room or shower room.

All gas, oil and electrical appliances which have a water connection shall be installed under the supervision of a licensed Master Plumber.

Every enclosed gas or oil water heater shall be connected by a proper vent not less than three (3) inches in diameter to the outside air or an effective flue, and such vent pipe shall have no damper or other attachment which will in any way interfere with a free draft.

Article IX

SOIL, WASTE AND VENT PIPES

Sec. 67. Material. All main and branch soil, waste and vent pipes within a building and three (3) feet outside, shall be of cast iron, galvanized steel, galvanized wrought iron, lead or brass, except as provided for in Art. 2, Sec. 8.

Sec. 68. Soil and Waste Stacks. Every building in which plumbing fixtures are installed shall have a soil, waste or vent stack, or stacks, extending full size through the roof. Stacks shall be run as direct as possible. The required size of a soil or waste stack shall be determined by the distribution and total of all fixtures connected to the stack in accordance with the following table.

Sec. 69. Size of Soil and Waste Pipe Per Fixture or Group of Fixtures. The following table shall be used to determine the minimum size of soil and waste pipes required for any one fixture or group of fixtures:

Kind of Fixture	No. of Fixtures	Sizes of Soil and Waste Pipes Required
Closets	1- 2	3"
	3- 11	4"
	12	4"
	13- 50	5"
	51-100	6"
	101 or more	8"
Slop Sink with Trap Combined.....	1- 2	2"
	3- 6	3"
	7- 15	4"
	16- 36	5"
	37- 64	6"
Sink, Bath Tubs.....	1- 4	1½"
Laundry Trays.....	5- 8	2"
Ordinary Slop Sinks.....	9- 18	2½"
Small Single.....	19- 25	3"
Urinals and.....	26- 30	3½"
Shower Baths.....	31-100	4"
Drinking Fountains.....	1- 4	1¼"
Wash Basins.....	5- 8	1½"
Bubblers	9- 25	2"
Refrigerators	26 or more	3"
Floor Drains.....	1	2"
	2- 4	3"
	5- 8	4"
	9- 36	6"
Soda Fountains.....	{	1½"
Bar Connections, etc.....		to 3"
Long Trough Pedestal, Combined Trap and Porcelain Stall Urinals...	1	1½"
	2- 4	2"
	5- 10	3"
	11- 25	4"
	26 or more	5"

Sec. 70. House Drain and Main. Beginning three (3) feet outside the foundation wall, extra heavy soil pipe shall be used under the ground and up to the highest waste connection.

Three (3) inch soil pipe may be used for house drains and mains provided that not more than two (2) water closets, with accompanying fixtures, are connected to the same.

Sec. 71. Changing Soil and Vent Pipes. In existing buildings where the soil, waste and vent pipes are of sheet metal, vitrified tile, concrete or black iron and not extended undiminished through or above the roof and traps are unvented, the same shall be changed to meet the requirements of this Code whenever a fixture is changed in style or location or replaced, also whenever connections are made from cesspool or septic tank to a sanitary sewer system.

Sec. 72. Prohibited Connections. Not more than one fixture shall be connected to a soil vent, the waste pipe of which shall not exceed one and one-half ($1\frac{1}{2}$) inches in diameter. No waste or vent pipe shall be connected to a lead bend. Lead bend connections from water closets and similar fixtures to house drain or main shall be not less than four (4) inches in diameter.

Sec. 73. Soil and Waste Pipe Protected. No soil, waste or vent pipes shall be placed on the outside wall of any new building, but vent pipes may be placed on the outside of an old building; provided, it is impractical to install them on the inside.

Sec. 74. Roof Extensions. All roof extensions of soil, waste or vent stacks on new work shall run full size and inside the building to within two (2) feet of the highest point of the main roof and extend at least one (1) foot above the same or the fire wall where the roof is flat.

This provision shall apply in all instances where the premise is located less than one hundred (100) feet from the adjoining property line.

In case of reconstruction, alteration or repair, vents may be run straight through the roof.

Sec. 75. Roof Terminals. The roof terminal of any stack or vent, if within ten (10) feet of any door, window, scuttle or air shaft, shall extend at least five (5) feet above the same. When the roof is used for other purposes than weather protection, the stack or vents shall terminate not less than six (6) feet above the roof. No stack or vent pipe shall terminate under the eaves, cornice or other overhang of the building.

Sec. 76. Terminals Adjoining Other Buildings. No new building shall be built adjacent to an existing building in which the windows of the same are located within ten (10) feet of any existing vent stack or where the vent stack of any new building terminates within ten (10) feet of any existing window, unless the owner of the new building, with the consent of the owner of the existing building, shall make such alterations to the existing stacks or extensions of the new vent stack as will meet the requirements of Section 75.

Sec. 77. Traps Protected by Vents. Every fixture trap shall be protected against siphonage and back pressure and a circulation of air

assured by means of a soil, waste, continuous, stack, loop, circuit, unit or return vent.

Sec. 78. Distance of Vent from Trap Seal. Trap vents shall be continuous where possible. Where the vent pipes are continuous and ventilated through the waste fittings, the center of the outlet of such fitting or lead branch shall not be set lower than the dip of the trap, and the distance measured along the central line of the waste from the weir of the trap to the vent opening shall not be more than the following distance:

1¼" trap.....	15 inches
1½" trap.....	18 inches
2" trap.....	24 inches
3" trap.....	30 inches
4" trap.....	36 inches

(Exception) All water closet bends shall be vented with not less than a two (2) inch vent when over six (6) feet from the soil stack or house drain, and when located twenty (20) or more feet from the soil stack or house drain the soil pipe shall be continued undiminished through the roof.

Sec. 79. Main Vents to Connect at Base, Roof Terminal. All main vents or vent stacks shall connect full size at their base to main soil or waste pipe at or below the lowest fixture branch, and shall extend undiminished in size above the roof in buildings of three stories or more. They may be reconnected to the main soil or waste stack above the highest fixture in buildings of less height.

Sec. 80. Size of Vent Pipe Per Fixture or Group of Fixtures. The following table shall be used to determine the minimum size of vent pipes required for any one fixture or group of fixtures:

Kind of Fixture	No. of Fixtures	Sizes of Back Vents Required
Closets	1- 2	2"
	3- 5	2½"
	6- 7	3"
	8- 11	3½"
	12- 17	4"
	18 or more	6"
Slop Sink with Trap Combined.....	1	1½"
	2- 6	2"
	7- 10	2½"
	11- 20	3"
	21 or more	3½"
Sink, Bath Tubs.....	1- 4	1½"
Laundry Trays.....	5- 8	2"
Ordinary Slop Sinks.....	9- 18	2½"
Small Single.....	19- 25	3"
Urinals and.....	26- 50	3½"
Shower Baths.....	51-100	4"

Kind of Fixture	No. of Fixtures	Sizes of Back Vents Required
Wash Basins.....	1- 4	1¼"
Cuspidors	4- 8	1½"
Bubblers	9- 25	2"
Refrigerators	26 or more	3"
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Floor Drains.....	1	2" Flat 1¼" Vertical
	2- 4	2" " 1½" "
	5- 8	3" " 2" "
	9- 36	4" " 3" "
<hr/>		
Bar Connections, Soda Fountains, etc.		1½" to 2"
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Long Trough Pedestal, Combined Trap and Porcelain Stall Urinals..	1- 4	1½"
	5- 12	2"
	13- 30	3"
	31 or more	4"

Sec. 81. Vent Pipe Grades and Connections. All vent and branch vent pipes shall be free from drops or sags and be so graded and connected as to drip back to the soil or waste pipe by gravity.

Where vents connect to a horizontal soil or waste pipe or serve as crown vents the vent branch shall be taken off the top of the pipe and raised vertically as far as possible toward the water line of the fixture before offsetting horizontally or connecting to the branch waste or soil vent.

Sec. 82. Wet Vents and By-Pass. No fixture trap shall be wet vented except those connected to a loop or circuit vent and all vents shall be constructed so as to eliminate all possibility of their becoming a waste pipe or forming a by-pass.

Sec. 83. Circuit and Loop Vents. A branch soil or waste pipe to which two (2) or more water closets, urinal stalls, pedestal urinals, shower stalls, laboratory tables or floor drains are connected in a series, may be vented by a circuit or loop vent which shall be taken off in front of the last fixture connection, provided that a relief vent of not less than three (3) inches shall be installed every fifty (50) feet.

Sec. 84. Unit Vents. Where bathtubs, water closets or other fixtures are located on opposite sides of a wall or partition or directly adjacent to each other within the prescribed distance, such fixtures may have a common vent.

Sec. 85. Return Vent. Where a building already constructed is of more than one story in height and no vent pipe is available for connection, a fixture may be vented by a return vent to the waste line, provided said vent shall be returned from a point not less than six (6) inches above the rim of said fixture and connected to the horizontal waste at a distance not

less than six (6) inches from the vertical waste. The size of the waste and vent pipes shall be not less than two (2) inches in diameter.

Sec. 86. Vents Not Required. No vents will be required on a down spout or rain leader trap, backwater trap, subsoil catch basin trap or floor drain trap when the same are connected to the storm water sewer.

Article X

BUILDING DRAINS AND HOUSE SEWERS

Sec. 87. Independent System. The plumbing and drainage system of each new building and of new work installed in an existing building shall be separate from and independent of that of any other building, and every building shall have an independent connection with a public or private sewer when available, except as herein provided for in this section.

(Exception) A house sewer may be installed to be used in common by two or more parties for buildings located in the rear of each other on the same property; if on different properties, a correctly executed article of agreement for the establishment and maintenance of such common sewer shall be entered into by the contracting parties and placed on record in the office of the County Clerk and Recorder, a copy of which shall be submitted with the application for plumbing permit as part thereof, in which event the whole will be considered as one house sewer, subject, however, to local ordinances to the contrary.

Sec. 88. Old House Sewers and Drains. Old house sewers and house drains may be used in connection with new buildings or new plumbing only when they are found, upon examination or test, to conform in all respects to the requirements governing new sewers or drains, as prescribed in this Code.

Sec. 89. Material. The house sewer, beginning three (3) feet outside the face of a building foundation wall, shall be of cast iron, vitrified tile or concrete pipes with water-tight joints.

Sec. 90. Size of Drains and Sewers. The size of house sewer shall not be less than the house drain which it serves.

Sec. 91. House Sewer in Made Ground. The house sewer, when laid in made or filled-in ground, shall be of vitrified tile pipe, concrete pipe or cast iron pipe laid on a bed of approved grillage or concrete.

Sec. 92. Drainage Below Sewer Level. In all buildings in which the whole or part of the house drainage and plumbing system thereof lies below the ground level of the house sewer, the same shall discharge into an air-tight sump or receiving tank properly vented and so located as to receive the sewage by gravity, from which sump or receiving tank the sewage shall be lifted and discharged into the house sewer or house drain by pumps, ejectors or any equally sufficient method; and there shall be installed on the waste line to the house drain or house sewer from said pump, ejector or other device, a check valve or backwater valve. The soil or waste pipe from the fixtures to the sump may be connected in a manner so as to serve as a vent to the sump.

Sec. 93. Ejectors for Subsoil Drainage. When subsoil catch basins are installed below the sewer level automatic ejectors should be used. Such ejectors, or any device raising subsoil water, shall discharge into a properly trapped fixture, storm water drain or upon the outside land surface, and in no instance shall be connected directly to the house drain or house sewer. Such catch basins need not be vented and shall not receive the waste from any plumbing fixture.

Article XI

STORM WATER DRAINS

Sec. 94. General Provisions. No rain water leaders, area, yard or court drains shall be connected to a sewer used for sewage only, except when expressly authorized by the City Engineer or City Manager.

Sec. 95. Area, Yard and Court Drains. When permitted to connect to the house drain, house sewer or sanitary sewer, they shall discharge into a sand trap before connecting to the same and so located as to be readily accessible for cleaning and protected from frost and, when necessary, with a backwater valve, subject to plans and specifications approved by the State Plumbing Inspector.

Sec. 96. Rain Water Leaders. Rain water leaders, when placed within a building, shall be constructed of cast iron, galvanized wrought iron, copper or brass pipe. When connected to the house drain or house sewer they shall be designed and constructed as are other drainage pipes, and shall be effectively trapped before entering the same. (Provided that no galvanized iron pipe shall be used underground.)

Sec. 97. Vent Connections with Conductors or Rain Leaders Prohibited. Rain water conductors or leaders shall not be used as soil, waste or vent pipes; nor shall any soil, waste or vent pipes be used as rain water conductors or leaders.

Sec. 98. Overflows. Overflow pipes from cisterns, supply tanks, expansion tanks, drip pans and air conditioning systems shall not be connected directly with any house drain, house sewer, soil, waste or vent pipe.

Sec. 99. Subsoil, Foundation, Clear Water and Absorption Tile Drains. Where subsoil drains are placed under a cellar floor or used to encircle the outer walls of a building, the same shall be made of open-jointed drain tile, vitrified clay or concrete pipe, and if connected to the house drain or house sewer shall, before entering the same, be protected against back pressure by an automatic back pressure valve accessibly located; or they may discharge into a cellar drain provided with a backwater valve, subject to plans and specifications approved by the State Plumbing Inspector.

Article XII

REFRIGERATOR—SAFE AND SPECIAL WASTES AND VENTS

Sec. 100. Fixture Prohibited to Connect. No waste pipe from a refrigerator or ice box or any other receptacle, where food is stored, shall connect directly with any house drain, main, house sewer, soil, waste or

vent pipe. Such waste pipe shall, in all cases, empty into an open fixture which is properly trapped and vented and supplied with water, or may discharge into a cellar drain, but the end must be left open to the air.

Sec. 101. Refrigerator Wastes. Refrigerator waste pipes shall be not less than one (1) inch for one opening, one and one-quarter ($1\frac{1}{4}$) inches for two to three openings, and one and one-half ($1\frac{1}{2}$) inches for four to twelve openings. Such waste pipes shall be continued not less than full size through the roof, except where such fixtures are located in the basement or first floor.

Sec. 102. Overflow Pipes and Motor Exhaust. Overflow pipes from a water supply tank or exhaust from a water lift shall not be directly connected with any house drain, soil, waste or vent pipe. Such pipes shall discharge upon the roof, ground surface or into an open fixture.

Sec. 103. Wastes from Laundries and Similar Establishments. Waste pipes in dye houses, breweries, bottling works, creameries, laundries and similar establishments, where much water is used, may discharge directly on to a non-absorbent floor provided with an adequate number of floor drains. Said drains shall be connected to the house sewer with cast iron pipe.

Sec. 104. Drinking Fountains. Drinking fountains shall be connected to the house drain or main the same as other fixtures and shall be equipped with an approved head.

Sec. 105. Soda Fountain and Sink Wastes. Bars, soda fountains, dish washing sinks and similar fixtures where glasses, dishes and/or other receptacles are used for the purpose of serving foods, drinks or beverages to the public, shall be adequately supplied with hot water at all times during business hours and supplied with sink facilities, as required by the Restaurant Sanitation Division. All bars, soda fountains, sinks and similar fixtures mentioned in this section shall be properly connected to sewers, septic tanks or other sewage disposal plants, as required by regulations of this Code.

Sec. 106. Exhaust, Blow-offs and Drip Pipe Connections. The exhaust, blow-off, sediment or drip pipe from a steam boiler shall not connect directly with any sewer, house drain, soil or waste pipe. Such pipe shall discharge into the top and above the line of discharge of a suitable closed tank or condenser made of wrought or cast iron and provided with a relief pipe of at least two (2) inches in diameter, extending independently of any other pipe to the outer air above the roof. The waste from said tank or condenser shall be taken from the bottom in such a manner as to form a trap seal of not less than eighteen (18) inches and be connected wherever possible to the house sewer, and be at least one size larger than the inlet.

Sec. 107. Inflammable Waste. All liquid wastes containing gasoline, benzene, naphtha or other inflammable oils or compounds shall be intercepted before entering the sewer by a suitable catch basin or grease trap properly vented.

Sec. 108. Waste Water Containing Acids. No raw acid waste shall discharge into any soil, waste or house drain. Pipes conveying such waste

shall be of first-class salt glazed vitreous tile pipe and may be connected into the house sewer as the first connection after passing through a sump properly trapped. All joints shall be calked with at least one (1) inch of shredded lead and troweled smooth with mortar composed of one part of Portland cement and two parts good, clean, sharp sand. All waste pipes carrying acids in suspension may be of extra heavy cast iron soil, lead or duro iron.

Article XIII

REPAIRS, ALTERATIONS, REMODELING AND ADDITIONS

Sec. 109. Old Materials Used. All fixtures, soil, waste and vent pipes removed from an old building, if found to be in good condition, may be used again; provided, the owner of the building in which they are installed gives his consent.

Sec. 110. Old House Drains. Existing house drains may be used in connection with new building or new plumbing only when they are found, upon examination or test, to conform to the requirements of this Code governing new drains and sewers.

Sec. 111. Remodeling. When an old or defective plumbing fixture is removed to be replaced by a new one and the waste and vents to same remodeled, additional fixtures installed or the present ones moved to a new position, a connection made to a sanitary sewer in lieu of a septic tank or cesspool, the same shall conform to this Code. All other existing plumbing shall reasonably conform to this Code. The Durham System may be used subject to the provision of Sec. 8.

Sec. 112. Repairs. All repairs to plumbing shall be done in a substantial, sanitary and workmanlike manner.

Article XIV

SEWAGE DISPOSAL

Sec. 113. Septic Tanks, Leaching Cesspools, Location. No septic tank, cesspool, grease trap or other system of sewage disposal shall be located under any building, and the construction and location of any disposal system shall conform with the regulations of the Sanitary Engineering Division of the Colorado State Board of Health.

Article XV

SCHOOL HOUSES, THEATRES AND ASSEMBLY HALLS

Sec. 114. Sanitation. The minimum sanitary equipment for schools, theatres and assembly halls, where water supply and sewage disposal are possible, shall be as follows:

Sec. 115. Schools. In the superstructure of the building—one slop sink, one lavatory for each five (5) water closets or less; one additional lavatory for each additional five (5) water closets or less; one water closet for each fifteen (15) females or less; one water closet for each twenty-five

(25) males or less; one urinal for each fifteen (15) males or less; one drinking fountain on each floor equipped with slanting jet head.

Juvenile or short water closets should be used for primary and grammar schools.

Each water closet shall be separated by means of a stall or partition with at least eight (8) inches between the floor and bottom of the stall.

Buildings more than three stories in height shall be provided with toilet rooms in each story and in these shall be installed water closets, lavatories and urinals in the above required ratio in proportion to the number of persons to be accommodated in the various stories.

Wherever a pressure water supply is possible no tin cups, tumblers or pails used in common for drinking water shall be allowed in or about any school building.

Sec. 116. Theatres and Assembly Halls, Sanitary Equipment. Theatres and assembly halls shall be provided with sanitary equipment as follows: One drinking fountain in the auditorium equipped with slanting jet, separate toilet rooms in connection with the auditorium for males and females in which shall be installed one water closet for each 200 females or fraction, one water closet and one urinal for each 300 males or fraction—assuming the audience to be equally divided between males and females, and one water closet in connection with each motion picture machine booth; except that in dance halls there shall be provided two water closets for each 100 females or fraction, one urinal for each 150 males or fraction, and one water closet for each 150 males or fraction.

Article XVI

INSPECTION AND TESTS

Sec. 117. Inspection. All plumbing within the state as defined by this Code is subject to inspection by the Chief State Plumbing Inspector, or Deputy State Plumbing Inspector, in order to ascertain if the requirements of this Code have been or are being complied with. Applications for permits will be furnished upon request. All permits shall be kept on file by the person to whom issued, and be accessible to the Chief State Plumbing Inspector or Deputy State Plumbing Inspector.

Sec. 118. Right of Entry. The Chief State Plumbing Inspector, or Deputy State Plumbing Inspector, shall have the right to enter upon any premise containing plumbing between the hours of 9 A. M. and 5 P. M. for the purpose of inspecting the plumbing installed therein and ascertaining whether the provisions of this Code have been or are being complied with.

Sec. 119. Material and Labor for Test. Equipment, material and labor necessary for inspection and test shall be furnished by the plumber.

Sec. 120. Method of Testing. All parts of a plumbing system conveying sewage or water and known as the "roughing-in," which are to be covered or permanently concealed from view, shall be tested in the rough by the plumber by means of a water, peppermint or air test, and all joints made tight.

If the State Plumbing Inspector, or Deputy, cannot be present for the test, an affidavit as to the test shall be made by the plumber, architect, contractor or owner.

In cases where the roughing-in is not concealed and an inspection is not feasible within thirty-six (36) hours following request for same, the plumber may proceed with the work.

If upon inspection the character of the work is such as to cause a reasonable doubt as to its tightness, it shall be subjected to a test upon the direction of the State Plumbing Inspector, or Deputy.

Sec. 121. Uncovering Work. If the State Plumbing Inspector has cause to believe, or information to the effect that any part of a plumbing installation, which does not meet the requirements of this Code, has been covered, it shall be uncovered for inspection upon his direction.

Sec. 122. Defective Work. If inspection or test of plumbing shows improper installation or defects in material, such defective material or improper installation shall be replaced, altered or repaired not later than a date specified in writing by the State Plumbing Inspector.

Sec. 123. Certificate of Approval. Upon the satisfactory completion and final inspection of the plumbing a tag or sticker of approval shall be attached to the system in a conspicuous place and, upon request, a certificate of approval will be issued by the Chief State Plumbing Inspector to the owner.

Sec. 124. Inspection and Tests Not Required. No test or inspection shall be required where a plumbing system, or part thereof, is set up for exhibition purposes and not used for toilet purposes and not directly connected to a sewerage system, nor the repairing or replacing of an old fixture with a new one to be used for the same purpose.

ADMINISTRATION

Article XVII

LICENSES, CERTIFICATES, PERMITS AND REGISTRATION

Sec. 125. A "Journeyman Plumber" is hereby defined to be any person other than a Master Plumber who engages in or works at the actual installation, alteration, repair and renovating of plumbing.

Sec. 126. A "Master Plumber" is hereby defined to be any person skilled in the planning, superintending and practical installation of plumbing and is familiar with the laws, rules and regulations governing the same, who is engaged in this business as owner or supervisor.

Sec. 127. A "Plumber's Apprentice" is hereby defined to be any person other than a Journeyman or Master Plumber who, as his principal occupation, is engaged in learning and assisting in the installation of plumbing.

Sec. 128. Remittance of Fees. Remittance fees for license, permit or examination shall be paid in cash or by means of postoffice or express money order, bank draft, certified or personal check drawn in favor of the Colorado State Treasurer.

Sec. 129. Renewals. All licenses must be renewed on or before January 31st of each year for which the license is issued. Renewal fee, in full, must be received at the office of the State Plumbing Inspector not later than January 31st of each year.

Sec. 130. Failure to Renew License. Any person who fails or neglects to renew his license before February 1st of each year may have said license revived upon payment of the revival fee any time during the month of February of that year. Failure to renew or revive a license before March 1st of each year cancels such license for nonpayment of fees, and any Master or Journeyman Plumber whose license has been cancelled for nonpayment of fees can obtain a new license only upon such terms as the State Board of Health may require upon investigation.

Sec. 131. Revocation of License. The State Board of Health may revoke any license according to the provisions set forth in Chapter 126, Section 8, of the Annotated Statutes of Colorado, 1935.

Sec. 132. License Where Required. No person shall engage in or work at the business, trade or calling of plumbing anywhere in this State until he shall have received a license from the State Board of Health. [Chapter 126, Section 9, Annotated Statutes, 1935.]

Owners Exempt. Owners are not required to have a license to install plumbing when confined to their own property. (Subject to provisions as set forth in Section 7.)

When a person, firm or corporation engages in the plumbing business in connection with the dealing in and installing of plumbing and the person or any member of the firm or corporation does not have a license he, or they, shall have a licensed Master Plumber in charge at all times who shall be responsible for the proper installation of all plumbing; and such person, firm or corporation shall notify the State Plumbing Inspector within twenty-four hours of such person's employment or dismissal.

Sec. 133. No Master Plumber, person, firm or corporation shall employ a nonlicensed person in the capacity of a Journeyman Plumber.

Sec. 134. Certificate of Registration When Required. Every person engaged in learning and assisting in the installation of plumbing in this State shall have a certificate of registration from the Division of Public Health as an apprentice. This certificate entitles such apprentice to work at the installation of plumbing without a license only when he is at all times physically accompanied on such work by a licensed Master or Journeyman Plumber.

Any person claiming to be an apprentice, who shall engage in the installation of plumbing without a certificate, shall be classed as a Journeyman and be subject to penalties provided for working without a Journeyman's license.

No person shall be registered as an apprentice who is not engaged, as his principal occupation, in learning and assisting in the installation of plumbing. Said apprentice shall be at least eighteen, and no Master Plumber shall employ more than two apprentices at any one time.

Article XVIII**RULES GOVERNING THE EXAMINATION OF PLUMBERS**

Sec. 135. Time of Examinations. Regular examinations for the licensing of Master and Journeymen plumbers will be held during the months of May and November. Special examinations for Master Plumbers will be held on twenty-four hours' notice by applicant, excepting Sundays, legal holidays and Saturdays.

Sec. 136. Duties of Examiners. They shall conduct all examinations for persons wishing to engage in the business, trade or calling of a Master or Journeyman Plumber in an unbiased manner, grade all papers, charts, lead work, etc., notify applicants of results of examinations and place a record of such examinations on file in the office of the State Plumbing Inspector.

Sec. 137. Notification of Examination. Notification of the time and place of examinations will be sent at least two weeks prior to date of such examinations, to all those who have applications on file in the office of the Plumbing Division of the State Board of Health.

Sec. 138. Licenses shall be issued only to persons who have passed with a grade of 85% for Masters and 75% for Journeymen.

Sec. 139. Character of Examinations. Examinations for licenses for Master and Journeymen Plumbers shall consist of written questions, charts, practical lead wiping and estimating and shall cover the theory, interpretation of charts, blue prints, the practice of plumbing and may, in part, be oral.

Sec. 140. Materials Used in Examinations. All applicants shall furnish the necessary tools for a practical lead bending and wiping test. All materials will be furnished for the wiping test but applicants are privileged to bring their own if they so desire.

Sec. 141. Reexamination. Upon the failure of any Master or Journeyman applicant to pass examination, said applicant may again appear at the expiration of six months for reexamination upon the payment of another examination fee. (Exception) Any person failing in a special examination may reappear during following regular examination period.

Any Master or Journeyman Plumber, whose license has been cancelled for three years or longer prior to application for revival of same, shall be required to take an examination.

Article XIX**QUALIFICATIONS AND DUTIES OF MASTER PLUMBER AND JOURNEYMAN PLUMBER**

Sec. 142. Master Plumber Qualifications. All applicants for Master Plumber's license must be citizens of the United States, have reached the age of twenty-one years, have had at least three years of experience as a licensed Journeyman or Master Plumber and be able to read and write the English language.

Journeyman Plumber Qualifications. All applicants for Journeyman Plumber's license must be citizens of the United States, have reached the age of twenty-one years and have had at least five years of experience as an apprentice.

Any deviation from the provisions of Sections 141 and 142 shall be made only with the unanimous consent of the Board of Plumbing Examiners.

Sec. 143. Duties of a Master Plumber. The duties of a Master Plumber are:

1. Renew his license at the end of each calendar year and place it in a conspicuous location in his place of business.
2. Take out the proper permits before starting work.
3. Install work according to all plumbing regulations, laws or ordinances before notifying the Plumbing Inspector to make inspection or test.
4. Cooperate with the plumbing inspectors by reporting and filing complaint with the district attorney, or any of his deputies in the various districts, of all violations of the Plumbing Law or State Plumbing Code, and render all possible aid in the prosecution of cases.
5. Employ only licensed Journeymen Plumbers to install plumbing.
6. Insist on his Journeymen Plumbers obeying all plumbing laws and ordinances.
7. Submit to the office of the Chief State Plumbing Inspector, for indenture, the names and addresses of all persons employed as apprentices within thirty days of the date of their employment.

Sec. 144. Duties of a Journeyman Plumber. The duties of a Journeyman Plumber are:

1. Shall renew his license at the end of each calendar year and carry his identification card whenever he is installing any plumbing work.
2. Cooperate with the plumbing inspectors.
3. Cooperate with and assist any health officer or plumbing inspector when called upon to furnish information and evidence which they should desire to correctly and properly enforce all plumbing laws and ordinances.
4. Install work according to all plumbing laws, regulations or ordinances before notifying the plumbing inspector to make inspection or test.
5. Familiarize himself with all plumbing codes, rules and regulations governing plumbing.
6. Work at his trade as directed or employed by a licensed Master Plumber.

Article XX.

PLUMBING INSTALLATION PERMITS

Sec. 145. Installation Permits. No person, firm, corporation or owner shall construct, install or alter any plumbing or drainage in any building in this State, except in cities of the first class, without securing from the Division of plumbing an installation permit for such work before starting the same.

Sec. 146. To Whom Installation Permits Are to Be Issued. Installation permits are to be issued only to licensed Master Plumbers or owners to construct or install any plumbing, and when a permit is issued to an owner it applies to his own premises only and said owner is prohibited from hiring any person to install said plumbing unless the work is done under the supervision of a licensed Master Plumber.

Sec. 147. Charges for Installation Permits. The fee for a plumbing installation permit shall be \$2.00 for the first five fixtures, or any fraction thereof, and 25c for each additional fixture thereafter. Fixtures are defined as follows: water closet, bath tub, lavatory, kitchen sink, laundry tray, sink, shower trap, drinking fountain, lip, stall, pedestal, wall or trough urinal, slop sink, counter sink—bar and soda fountain, domestic or range boiler, dental chair, floor drain, dish-washing machine, sand trap.

Sec. 148. Plumber Allowing Name to Be Used. No person, firm or corporation carrying on a plumbing business shall allow his name, or their name to be used by any other person, firm or corporation, directly or indirectly, to obtain an installation permit.

QUALIFICATIONS AND DUTIES OF PLUMBING INSPECTOR

Sec. 149. State Plumbing Inspector. He shall be a citizen of the United States, at least twenty-one years of age and qualified from practical experience as a plumber.

Sec. 150. Duties of the Chief State Plumbing Inspector. The duties of the Chief State Plumbing Inspector shall include:

1. The inspection and/or reinspection of plumbing and drainage installations.
2. Witnessing tests as required herein.
3. The issuance of certificates of inspection and approval.
4. Keeping a record of all violations and making complaints to proper prosecuting authorities.
5. The proper enforcement of this Code.
6. Keeping a record of all inspections made and complaints received and investigated.
7. Investigating all complaints regarding insanitary plumbing.
8. Assisting impartially in the examination of plumbers.
9. Making a comprehensive study of what constitutes safe, efficient and economical plumbing and drainage installations.
10. Keeping all office records and reporting to the State Board of Health on his work, as required.
11. Issuing new licenses, renewing and reviving licenses now in force and issuing installation permits.
12. Keeping a record of all moneys received and depositing the same with the State Treasurer as per law.

Sec. 151. Control and Supervision. The Plumbing Inspector shall have reasonable control and supervision of the methods and materials used in any part of a plumbing or drainage system, as prescribed herein.

Sec. 152. Investigation of Complaints. The Plumbing Inspector shall examine all premises about which a complaint of the plumbing or drainage is made in writing, and he shall, upon evidence of the insanitary condition thereof, report same and notify the owner or agent of such premises by registered mail or personal service, to arrange the plumbing or drainage therein according to the requirements of this Code. Any person or persons failing within reasonable time to place the plumbing of such building or premises in accordance with this Code, shall be subject to prosecution.

Sec. 153. Approval of Plans. The Plumbing Inspector shall promptly examine all plans and specifications filed in his office and notify the person submitting such plans and specifications of his approval or rejection.

Sec. 154. Duties of the Deputy State Plumbing Inspector. The duties of the Deputy State Plumbing Inspector shall be the same as those of the State Plumbing Inspector, with the exception of Section 153, and Articles 8, 10, 11 and 12 of Section 150.

Sec. 155. Discretionary Powers. When for specific reason it may be impractical to make an installation so as to comply strictly with the provisions of this Code as it pertains to plumbing and drainage designs, materials, construction and appliances, the Chief Plumbing Inspector shall have discretionary power to permit such modifications as are not inconsistent with the spirit and substance thereof. All such modifications must be reported in writing to the State Board of Health and filed as official public record.

TABLES AND RULES FOR CALCULATIONS

Commercial Weights

16 drams or 437.5 grains=1 ounce

16 ounces or 7000 grains=1 pound

2000 pounds=1 ton

Liquid Measure

4 gills =1 pint

2 pints =1 quart

4 quarts=1 gallon

Square Measure

144 sq. inches=1 sq. foot

9 sq. feet =1 sq. yard

43,560 sq. feet =1 acre

Cubic Measure

1,728 cu. inches=1 cu. foot

27 cu. feet =1 cu. yard

Water Equivalents

1 gallon water contains 231 cu. inches

weighs 8.33 pounds (use $8\frac{1}{2}$ lbs. in calculations)

equals .13368 cu. feet

1 cu. foot water contains 1728 cu. inches

weighs 62.425 pounds (use 62.5 lbs. in calculations)

equals 7.48 gallons (use 7.5 gals. in calculations)

1 cu. inch water weighs .0361 pounds.

1 foot head of water = 0.4335 pounds per sq. inch.

1 pound per sq. inch = 2.3068 feet head of water.

To find the circumference of a circle multiply the diameter by 3.1416.

To find the area of a circle multiply the square of the diameter by 0.7854, or multiply the square of the radius by 3.1416.

To find the pressure in pounds per square inch exerted by a column of water at its base, multiply the head in feet by 0.434. Thus in a pipe 50 ft. in height filled with water the pressure at its base will be $50 \times 0.434 = 21.7$ pounds.

For every pound pressure at the base of a column of water a height of 27.7 inches is required.

To find the head in feet, the pressure being known, multiply the pressure in pounds per square inch by 2.31. In computing the height water will rise in a building due allowance must be made for variation in pressure, size of piping, friction, location and number of fixtures to be served and other conditions in connection therewith.

To find the contents of **square or rectangular tanks** or cisterns in cubic feet, multiply the length, breadth and height in feet together. To reduce this to gallons multiply by 7.5.

To find the contents in cubic inches, multiply the length, breadth and height in inches together. To reduce this to gallons, divide by 231.

To find the contents of **circular tanks** or cisterns find the square of the diameter in feet, multiply this by 0.7854 and by the height in feet. This is the volume in cubic feet. To reduce this to gallons multiply by 7.5.

To find the contents of pipes find the square of the diameter in inches, multiply by 0.7854 and by the length in inches. This gives the contents in cubic inches. To reduce this to gallons divide by 231, or (second method) multiply the square of the diameter in inches by the length in feet and divide by 24.5.

**Diameter, Circumference and Area of Circles and Volume of Pipes
Per Foot of Length**

Diameter in Inches	Circumference in Inches	Area in Square Inches	Volume in Cubic Inches	Volume in Gallons
$\frac{1}{2}$	1.571	0.1963	2.355	0.0102
$\frac{3}{4}$	2.356	0.4418	5.302	0.023
1	3.141	0.7854	9.425	0.041
$1\frac{1}{4}$	3.927	1.227	14.724	0.064
$1\frac{1}{2}$	4.712	1.767	21.204	0.092
$1\frac{3}{4}$	5.497	2.405	29.96	0.125
2	6.28	3.14	37.68	0.163
$2\frac{1}{2}$	7.85	4.91	58.92	0.255
3	9.42	7.07	84.84	0.367
4	12.56	12.56	150.79	0.65
5	15.70	19.63	235.62	1.02
6	18.84	28.27	349.29	1.47
8	25.13	50.26	603.19	2.61
10	31.41	78.54	942.48	4.08
12	37.69	113.09	1357.15	5.87

To compute the approximate amount of calking lead required for soil pipe joints, allow one pound for each joint one inch in diameter: Thus, 2-inch joint—2 lbs.; 4-inch joint—4 lbs.; etc. Joints must have a uniform depth of not less than 1 inch of lead.

Where concrete is used for outdoor grease traps and yard catch basins, cisterns, cesspools and septic tanks, use one part Portland cement, 2 parts sand and four parts broken stone and clean gravel; or 4 sacks of Portland cement, 2 barrels of clean, sharp sand and 4 barrels of broken stone or clean gravel.

It is very important that water be added in such quantity that the concrete will flow readily but the ingredients will not separate.

For mortar for average masonry of rough stone, estimate about one barrel of Portland cement and 2 to 3 barrels of sand to the cubic yard, depending on the character of the stone.

1 barrel Portland cement equals 4 cubic feet

1 cu. foot Portland cement weighs 96 pounds

A rainfall of one inch in depth on an area of 100 square feet will give a runoff of 62 gallons.

Galvanized Range Boilers

Diameter Inside of Shell Inches	Length of Shell Inches	Capacity Gallons Approx.	Diameter Inside of Shell Inches	Length of Shell Inches	Capacity Gallons Approx.
12-----	36	18	16-----	60	52
12-----	48	24	18-----	60	66
12-----	60	30	20-----	60	82
14-----	48	32	22-----	60	100
14-----	60	40	24-----	60	120
16-----	48	42	24-----	72	144
			24-----	96	192

Gallons Discharged Per Minute by Sewer Pipe

Fall, Per 100 Feet								
Size of Sewer, Inches	1 Inch Fall	2 Inch Fall	3 Inch Fall	6 Inch Fall	9 Inch Fall	1 Foot Fall	2 Foot Fall	3 Foot Fall
4-----	20	28	35	50	62	71	101	124
6-----	63	89	111	156	194	224	317	389
8-----	140	198	246	348	432	499	706	864
10-----	261	369	457	648	803	928	1,310	1,610
12-----	432	612	758	1,070	1,330	1,530	2,170	2,660

Water Pressure for Varying Heads

Head in Feet	Pressure Lbs. Per Sq. In.	Head in Feet	Pressure Lbs. Per Sq. In.	Head in Feet	Pressure Lbs. Per Sq. In.	Head in Feet	Pressure Lbs. Per Sq. In.
1	0.43	26	11.26	51	22.09	76	32.91
2	0.86	27	11.69	52	22.52	77	33.34
3	1.30	28	12.12	53	22.95	78	33.78
4	1.73	29	12.56	54	23.38	79	34.21
5	2.16	30	12.99	55	23.82	80	34.64
6	2.60	31	13.42	56	24.25	81	35.08
7	3.03	32	13.86	57	24.68	82	35.51
8	3.46	33	14.29	58	25.12	83	35.94
9	3.90	34	14.72	59	25.55	84	36.37
10	4.33	35	15.16	60	25.98	85	36.81
11	4.76	36	15.59	61	26.41	86	37.24
12	5.20	37	16.02	62	26.85	87	37.67
13	5.63	38	16.45	63	27.28	88	38.10
14	6.06	39	16.89	64	27.71	89	38.54
15	6.49	40	17.32	65	28.15	90	38.97
16	6.93	41	17.75	66	28.58	91	39.40
17	7.36	42	18.19	67	29.01	92	39.84
18	7.79	43	18.62	68	29.45	93	40.27
19	8.23	44	19.05	69	29.88	94	40.70
20	8.66	45	19.49	70	30.31	95	41.14
21	9.09	46	19.92	71	30.74	96	41.57
22	9.53	47	20.35	72	31.18	97	42.00
23	9.96	48	20.78	73	31.61	98	42.44
24	10.39	49	21.22	74	32.04	99	42.87
25	10.82	50	21.65	75	32.48	100	43.30

Relative Discharging Capacities of New Smooth Pipes

	1/2	3/8	3/4	1	1 1/4	1 1/2	2	2 1/2	3	4	6	8	10
1/2----	1	---	---	---	---	---	---	---	---	---	---	---	---
3/8----	1.7	1	---	---	---	---	---	---	---	---	---	---	---
3/4----	2.9	1.7	1	---	---	---	---	---	---	---	---	---	---
1-----	6.2	3.5	2.1	1	---	---	---	---	---	---	---	---	---
1 1/4----	10.9	6.2	3.7	1.8	1	---	---	---	---	---	---	---	---
1 1/2----	17.4	10.0	6.0	2.8	1.6	1	---	---	---	---	---	---	---
2-----	37.8	21.7	13.0	6.1	3.5	2.1	1	---	---	---	---	---	---
2 1/2----	65.5	37.5	23.1	10.7	6.1	3.8	1.8	1	---	---	---	---	---
3-----	110.5	63.2	38.0	17.9	10.1	6.3	2.9	1.6	1	---	---	---	---
4-----	189.0	108.3	65.0	30.6	17.3	10.8	5.0	2.8	1.7	1	---	---	---
6-----	527.0	302.0	186.0	87.0	49.0	30.5	14.2	8.0	4.8	2.8	1	---	---
8-----	---	650.0	418.0	195.5	108.6	67.2	31.6	17.9	11.2	6.0	2.1	1	---

The figures in the foregoing table give the number of pipes of a given diameter that are equal to one pipe of a larger diameter.

This table is based on conditions similar to those at a residence or other small building. For power plant or other similar conditions the table is only approximate.

Example: How many $\frac{1}{2}$ inch pipes are equal to one $\frac{3}{4}$ inch pipe?

Under column marked $\frac{1}{2}$ inch at top of table follow down the column to figures opposite $\frac{3}{4}$ inch and read 2.9; that is to say, a $\frac{3}{4}$ inch pipe has a carrying capacity equal to about three $\frac{1}{2}$ inch pipes.

Example: What diameter of pipe will be required to supply three $\frac{1}{2}$ inch pipes, one $\frac{5}{8}$ inch and one $\frac{3}{4}$ inch pipe?

Solution: Reduce all of the pipes to equivalent of $\frac{1}{2}$ inch pipes.

Three $\frac{1}{2}$ inch pipes = 3.0

One $\frac{5}{8}$ inch pipe = 1.7

One $\frac{3}{4}$ inch pipe = 2.9

The combination = 7.6 one-half inch pipes

From the table we see that a one-inch pipe equals 6.2 one-half inch pipes and a one and one-fourth inch pipe equals 10.9 one-half inch pipes. As we require the equivalent of 7.6 one-half inch pipes, it would be necessary to use a one and one-fourth inch pipe to supply the above combination.

COLORADO
STATE DIVISION OF PUBLIC HEALTH



FOOD AND DRUGS

LAWS, RULES AND REGULATIONS
(Revised 1942)

Issued by the
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FOOD AND DRUGS

LAW, PERTAINING TO FOOD AND DRUGS

(From Colorado Statutes Annotated, 1935)

Chapter 69—Food and Food Products

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Rules and Regulations—Food and Drugs

FOOD AND DRUGS

Section 1. Division of food and drugs—Food and drug commissioner: For the purpose of enforcing the provisions of sections 2 to 11 of this chapter, and all other laws pertaining to the purity of foods and drugs and the sanitation of places wherein they are manufactured and sold, there is hereby created a division of the State Board of Health to be known as the division of food and drugs; and there is hereby created the office of food and drug commissioner. (L. '21, p. 335; C. L., sec. 995.)

Sec. 2. Penalty for manufacturing, selling or misbranding adulterated food or drugs. It shall be unlawful for any person to manufacture, or sell, or expose for sale, or deliver, or give away, or ship, or offer for shipment, within this state, any article of food, or drug, which is adulterated, or mis-

branded, within the meaning of this act, except as such article may be in the original package and the subject of interstate commerce under the federal jurisdiction; and any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and for each offense shall, upon conviction thereof, be punished by a fine of not exceeding five hundred dollars, or by imprisonment of not exceeding one year, or by both such fine and imprisonment, in the discretion of the court, and for each subsequent offense and conviction thereof shall be punished by a fine of not more than one thousand dollars, or by imprisonment for one year, or by both such fine and imprisonment in the discretion of the court. But no article shall be deemed misbranded or adulterated within the provisions of this act when intended for export to any foreign country and prepared, or packed, according to the specifications or directions of the foreign purchaser, when no substance is used in the preparation or packing thereof in conflict with the laws of such foreign country to which said article is intended to be shipped; but if said article shall be in fact sold or exposed for sale, or delivered, or given away, or shipped or offered for shipment, for use or consumption within this state, then this provision shall not exempt said article from the operation of any of the provisions of this act. (L. '21, p. 14, sec. 1.)

Sec. 3. Uniform rules and regulations. The State Board of Health shall make uniform rules and regulations for carrying out the provisions of this act, including the collection and examination of specimens of all foods and drugs manufactured or sold, or exposed for sale, or delivered, or given away, or shipped, or offered for shipment, within this state, or which may be submitted for examination by any health officers of any town, city or county in this state. But such rules and regulations shall not be more stringent than, nor conflict with, the rules and regulations adopted, or which may hereafter be adopted, for the enforcement of the food and drugs act of the United States, approved June 30, 1906, regulating the misbranding or adulteration of drug or food products for interstate commerce. (L. '07, p. 24, sec. 2.)

Sec. 4. Examination of specimens. The examinations of specimens of foods and drugs shall be made by, or under the direction and supervision of, the State Board of Health for the purpose of determining from such examinations whether such articles are adulterated, or misbranded, within the meaning of this act; and if it shall appear from any such examinations that any of such specimens is adulterated, or misbranded, within the meaning of this act, the State Board of Health shall cause notice thereof to be given to the person from whom such sample was obtained. Any person so notified shall be given an opportunity to be heard, under such rules and regulations as shall be prescribed as aforesaid, and if it shall appear that any of the provisions of this act have been violated by such person, then the State Board of Health shall at once certify the facts to the proper district attorney, with a copy of the results of the analysis, or other examination, of such article, duly authenticated by the analyst, or officer, making such examination, under the oath of such analyst or officer. After judgment of the court, notice shall be given by publication

in such manner as may be prescribed by the rules and regulations aforesaid. (L. '07, p. 24, sec. 3.)

Sec. 5. District attorney to enforce provisions of act. It shall be the duty of each district attorney to whom the State Board of Health shall report any violation of this act, to cause appropriate proceedings to be commenced and prosecuted in the proper courts of this state, without delay, for the enforcement of the penalties as in such case herein provided. (L. '07, p. 24, sec. 4.)

Sec. 6. Definition of terms. The term "drug," as used in this act, shall include all medicines and preparations recognized in the United States pharmacopoeia or national formulary for internal or external use, and any substance, or compound, or mixture of substances, intended to be used for the cure, mitigation or prevention of disease of either man or other animals. The term "food," as used in this act, shall include all articles used for food, drink, confectionery, or condiment by man or other animals, whether simple, mixed or compound. (L. '07, p. 25, sec. 5.)

Sec. 7. Articles deemed to be adulterated. For the purpose of this act an article shall be deemed to be adulterated:

In case of drugs:

First—If, when a drug is sold under or by a name recognized in the United States pharmacopoeia or national formulary, it differs from the standard strength, quality, or purity, as determined by the tests laid down in the United States pharmacopoeia or national formulary official at the time of investigation.

Second—If its strength or purity shall fall below the professed standard, or quality, under which it is sold.

In case of confectionery:

If it contains terra alba, barytes, talc, chrome yellow, or any mineral substance used for the purpose of adulterations, or poisonous color, or flavor, or other ingredient deleterious to health, or any vinous malt or spirituous liquor, or compound, or narcotic drug.

In case of food:

First—If any substance has been mixed, or packed, with it so as to reduce or lower, or injuriously affect its quality or strength.

Second—If any substance has been substituted wholly or in part for the article.

Third—If any valuable constituent of the article has been wholly, or in part, abstracted.

Fourth—If it be mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is concealed.

Fifth—If it contains formaldehyde or other harmful preservative or any added poisonous, or other added deleterious ingredient which may render such article injurious to health. But when in the preparation of food products for shipment they are preserved by an external application applied in such manner that the preservative is necessarily removed mechanically, or by maceration in water, or otherwise, and directions for the

removal of said preservative are printed on the covering, or the package, the provisions of this act shall be construed as applying only when said products are ready for consumption.

Sixth—If it consist in whole or in part of a filthy, decomposed, or putrid animal, or vegetable substance, or any portion of an animal unfit for food whether manufactured or not, or if it is the product of a diseased animal or one that has died otherwise than by slaughter. (L. '07, p. 25. sec. 6.)

Sec. 8. Misbranded defined—Articles deemed misbranded. The term "misbranded," as used herein, shall apply to all drugs or articles of food, or articles which enter into the composition of food, the package, or label of which shall bear any statement, word, design or device regarding such article, or the ingredients or substances contained therein, which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the state, territory, city, town, place, or country in which it is manufactured, produced or found.

For the purposes of this act an article shall also be deemed to be misbranded:

In case of drugs:

First—If it be an imitation of or offered for sale under the name of another article.

Second—If the contents of the package as originally put up, or the contents of the box, bottle, can, or other container, sold, or exposed for sale, or delivered, or given away, or shipped, or offered for shipment, shall have been removed, in whole or in part, and other contents shall have been placed in such package, or in such box, bottle, can, or other container, or if such package, or such box, bottle, can, or other container, as aforesaid, fails to bear a statement on its label of any quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, or any harmful coal tar derivative or preparation, or any such substances, contained therein. But no such statement shall be required to be placed on such label if the drug is sold upon the prescription of a duly licensed physician, dental surgeon, or veterinary surgeon, which said prescription shall be kept on file by the dispensing pharmacist, or under the name of any article defined in the United States pharmacopoeia or national formulary, or, in the case of alcohol, or official preparations containing alcohol, when used in the manufacture of other preparations which are official in the United States pharmacopoeia or national formulary.

In case of food:

First—If it be an imitation of, or offered for sale under, the distinctive name of another article.

Second—If it be labeled, or branded, so as to deceive, or mislead, the purchaser, or purport to be a foreign product when not so, or if the contents of the package, as originally put up, or of the box, bottle, can, or other container, sold, or exposed for sale or delivered, or given away or shipped or offered for shipment, shall have been removed in whole or in

part and other contents shall have been placed in such package, or in such box, bottle, can, or other container, or it shall fail to bear a statement on its label of the quantity, or the proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, or any harmful coal tar derivative, or preparation or any such substances contained therein.

Third—If in package form and the contents are stated in terms of weight or measure, they are not plainly and correctly stated on the outside of the package. (L. '07, p. 27, sec. 7.)

If the package or label of any food or drug, article or preparation manufactured or sold within the State of Colorado shall bear or contain any statement, design or device regarding the curative or therapeutic effect of such article, or any of the ingredients or substance contained therein, which is false and fraudulent. (L. '21, p. 15, sec. 2.)

Fourth—If the package containing it, or the box, bottle, can, or other container, or its label, shall bear any statement, word, design, or device regarding the ingredients or the substances contained therein, which statement, word, design, or device shall be false or misleading in any particular. But an article of food which does not contain any added poisonous ingredients, or ingredients deleterious to health, shall not be deemed to be adulterated, or misbranded, in the following cases:

First—In the case of mixtures, or compounds, which may be now, or from time to time hereafter, known as articles of food, under their own distinctive names, and not an imitation of, or offered for sale under, the distinctive name of another article, if the name be accompanied on the same label, or brand, with a statement of the place where said article has been manufactured or produced.

Second—In the case of articles labeled, branded, or tagged, so as plainly to indicate that they are compounds, imitations or blends, and the word "compound," "imitation," or "blend," as the case may be, is plainly stated on the package, box, bottle, can, or other container, in which it is offered for sale. But the term "blend," as used herein, shall be construed to mean a mixture of like substances, not excluding harmless coloring, or flavoring ingredients used for the purpose of coloring and flavoring only; and nothing in this act shall be construed as requiring or compelling proprietors, or manufacturers of proprietary foods, which contain no unwholesome added ingredient to disclose their trade formulas, except in so far as the provisions of this act may require to secure freedom from adulteration or misbranding. (L. '07, p. 27, sec. 7.)

Sec. 9. Guaranty of manufacturer relieves dealer from prosecution. No dealer shall be prosecuted under the provisions of this act when he can establish a guaranty signed by the wholesaler, jobber, manufacturer, or other person residing in this state, from whom he purchased any article in question, to the effect that the same is not adulterated or misbranded. Such guaranty, to afford protection, shall contain the name and address of the person making the sale of such article to such dealer, and in such case said person shall be amenable to the prosecutions, fines

and other penalties which would attach, in due course, to the dealer under the provisions of this act. (L. '07, p. 28, sec. 8.)

Sec. 10. Adulterated or misbranded article subject to seizure. Any article of food, drug, or liquor that is adulterated, or misbranded, within the meaning of this act, that is manufactured, or sold, or exposed for sale, or delivered, or given away, or shipped, or offered for shipment, within this state, together with its box, bottle, can, or other container, except as such article may be in the original package and the subject of interstate commerce under the federal jurisdiction, is hereby declared to be a nuisance, and shall be abated upon a complaint, hearing and judgment, or order, of court in a proceeding in the district court, of the district where such article of food, drug, or liquor is found, by seizure and confiscation for destruction or sale. If such article is condemned as being adulterated, or misbranded, or as being of a poisonous, or deleterious character, within the meaning of this act, it shall be disposed of under the proper order of court by destruction, or by sale in the manner provided for the sale of chattels under execution, in the discretion of the court; and the proceeds thereof, if it be sold, less the legal cost and charges, shall be paid to the state treasurer, but such article of food, or drug, shall not be sold in any jurisdiction contrary to the law thereof. (L. '07, p. 28, sec. 9.)

Sec. 11. Person defined—Construction of agent's acts. The word "person," as used in this act, shall be construed to import both the plural and singular, as the case demands, and shall include corporations, companies, partnerships, societies and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any officer, agent, or other person, acting for or employed by any corporation, company, partnership, society, or association, within the scope of his employment, or office, shall in every case also be deemed to be the act, omission, or failure of such corporation, company, partnership, society or association, as well as that of the person. (L. '07, p. 29, sec. 10.)

Sec. 12. Penalty for selling diseased meat or adulterated food. If any person or persons shall knowingly sell, or offer for sale, or permit to be sold, any flesh of any diseased animal, or of any animal being in good health, which shall not have been butchered or killed for the purposes of sale, or if any person or persons shall knowingly offer for sale, sell, or permit to be sold, any diseased, or decayed, or partially diseased or decayed fish, flesh or game, or other unwholesome provisions, or any article of food or drink which shall be adulterated with anything injurious to health, the person or persons so offending shall be deemed guilty of a felony, and on conviction thereof, shall be punished by imprisonment in the penitentiary for not more than two years, or by a fine of not more than one thousand dollars, or by both such fine and imprisonment. (L. '87, p. 15, sec. 1.)

See §§950, 1026.

Sec. 13. Penalty for selling adulterated milk. Whoever shall, for the purpose of sale for human food, adulterate milk with water, or any foreign substance, or whoever shall knowingly sell for human food, milk from which cream has been taken without the purchaser thereof being informed,

or knowing the fact, or whoever shall knowingly sell for human food, milk from which what is commonly called "strippings" has been withheld, without the purchaser thereof being informed or knowing the fact, or whoever shall knowingly sell for human food, milk drawn from a diseased cow, knowing her to be so diseased as to render her milk unwholesome, or whoever shall knowingly sell for human food, milk so tainted or corrupted as to be unwholesome; or whoever shall knowingly supply, or bring to be manufactured into any substance for human food, to any cheese or butter factory or creamery, without all interested therein knowing or being informed of the fact, milk which is adulterated with water or any foreign substance, or milk from which cream has been taken, or milk from which what is commonly called "strippings" has been withheld; or milk drawn from a diseased cow, knowing her to be so diseased as to injure her milk, or milk so tainted or corrupted as to be unwholesome; or whoever shall knowingly add any foreign substance to the milk or cream, whereby it or the products thereof shall become unwholesome for human food, shall be guilty of an offense, and on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the penitentiary not exceeding one year, or by both such fine and imprisonment. (L. '87, p. 15, sec. 2.)

Sec. 14. Poisonous adulterations—Felony. If any person or persons shall knowingly sell, offer for sale, or permit to be sold any article of food or drink adulterated with any substance poisonous or injurious to health, and sickness or death should result from the use of such article, the person or persons so selling or offering for sale, or permitting such article to be sold shall be guilty of felony, and on conviction thereof shall be punished by imprisonment at hard labor in the penitentiary for not more than five years. (L. '87, p. 16, sec. 3.)

Sec. 15. Adulterated articles to be marked—Failure—Penalty. If any person or persons shall knowingly sell or offer to sell, or permit to be sold as pure and unadulterated, any article of food or drink which shall be adulterated with any other substance, without marking or branding the same, or in some other manner notifying the purchaser, or prospective purchaser of the article sold, offered for sale, or permitted to be sold, that the same is adulterated, the person or persons so offending shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment. (L. '87, p. 16, sec. 4.)

See §§956, 996, 1001, 1002, 1010.

Sec. 16. Penalty for selling imitations without marking. If any person or persons shall knowingly sell, or offer for sale, or permit to be sold, any article made in the semblance of, or purporting to be any other article of food or drink, without marking or branding the same, or otherwise notifying the purchaser, or prospective purchaser, of the real character or the actual composition of the article so sold, offered for sale or permitted to be sold, the person or persons so offending shall be guilty of a

misdemeanor, and on conviction thereof shall be punished by a fine of not more than five hundred dollars. (L. '87, p. 17, sec. 5.)

Chapter 69, Article III—Pure Food

Sec. 21. Premises kept in sanitary condition—Food defined. That every building, room, basement, inclosure or premises, occupied, used or maintained as a bakery, confectionery, cannery, packing house, slaughter house, creamery, cheese factory, restaurant, hotel, grocery, meat market, or as a factory, shop, warehouse, or any public place or manufacturing place used for the preparation, manufacture, packing, storage, sale or distribution of any food as defined by statute, which is intended for sale, shall be properly and adequately lighted, drained, plumbed and ventilated, and shall be conducted with strict regard to the influence of such conditions upon the health of operatives, employes, clerks or other persons therein employed, and the purity and wholesomeness of the food therein produced, prepared, manufactured, packed, stored, sold or distributed, and for the purposes of this act, the term "food" as used herein shall include all articles used for food, drink, confectionery or condiment, whether simple, mixed or compound, and all substances or ingredients used in the preparation thereof. (L. '13, p. 510, sec. 1.)

Another statutory definition of food is found at §1000.

For regulations concerning slaughtering plants, see §§1026 to 1036.

Sec. 22. Sanitary regulations—Places, processes, containers—Implements of manufacture. The floors, sidewalls, ceilings, furniture, receptacles, utensils, dishes, implements and machinery of every restaurant, hotel kitchen and every such establishment or place where such food intended for sale is produced, prepared, manufactured, packed, stored, sold or distributed, and all cars, trucks and vehicles used in the transportation of such food products, shall at no time be kept or permitted to remain in an unclean, unhealthful or insanitary condition; and for the purpose of this act, unclean, unhealthful and insanitary conditions shall be deemed to exist if food in the process of production, preparation, manufacture, packing, storage, sale, distribution or transportation is not securely protected from flies, dust, dirt, and from all other foreign or injurious contamination, as far as may be necessary by all reasonable means; or if the refuse, dirt or waste products incident to the manufacture, preparation, packing, selling, distribution or transportation of such food are not removed daily, or if all trucks, trays, boxes, buckets or other receptacles, or the chutes, platforms, racks, tables, shelves, and knives, saws, cleavers, or other utensils, or the machinery used in moving, handling, cutting, chopping, mixing, canning or other processes are not thoroughly cleaned daily; or if the clothing of operatives, employes, clerks or other persons therein employed is unclean; or if all dishes, cups, glasses, knives, forks and spoons are not thoroughly washed in hot or running water and rinsed after each usage; or if dishes, cups or glasses are used which are so cracked, chipped or broken as to be detrimental to health; or if all ice cream cones and straws are not securely covered. (L. '21, p. 675, sec. 1; amending L. '13, p. 511, sec. 2.)

Sec. 23. Construction of sidewalls, floors, ceilings. The sidewalls, floors and ceilings of every bakery, confectionery, creamery, cheese factory, and hotel or restaurant kitchen and every building, room, basement or inclosure occupied or used for the preparation, manufacture, packing, storage, sale or distribution of food shall be so constructed that they can easily be kept clean. (L. '13, p. 511, sec. 3.)

Sec. 24. Protection from flies, dust and dirt. All such factories, buildings, and other places containing food, shall be so provided with proper doors and screens necessary and adequate to protect against the contamination of the product from flies, dust or dirt. (L. '21, p. 676, sec. 2, amending L. '13, p. 511, sec. 4.)

Sec. 25. Toilet rooms and lavatories. Every such building, room, basement, inclosure, or premises occupied, used or maintained for the production, preparation, manufacture, canning, packing, storage, sale or distribution of such food shall have adequate and convenient toilet rooms, lavatory or lavatories. The toilet rooms shall be separated and apart from the room or rooms where the process of production, preparation, manufacture, packing, storing, canning, selling and distributing is conducted. The floors of such toilet rooms shall be cement, tile, wood, brick or other non-absorbent material, and shall be washed and scoured daily. Such toilet or toilets shall be furnished with separate ventilating flues and pipes discharging into soil pipes or shall be on the outside of and well removed from the building. Lavatories and wash rooms shall be maintained in a sanitary condition. (L. '13, p. 511, sec. 5.)

Sec. 26. Nuisances—Misdemeanor. If any such building, room, basement, inclosure, or premises occupied, used or maintained for the purposes aforesaid, or if the floors, sidewalls, ceilings, furniture, receptacles, utensils, implements, appliances or machinery of any such establishment shall be constructed, kept, maintained or permitted to remain in a condition contrary to any of the requirements or provisions of the preceding five (5) sections of this act, the same is hereby declared a nuisance, and any toilet, toilet room, lavatory or wash room, as aforesaid, which shall be constructed, kept, maintained or permitted to remain in a condition contrary to the requirements or provisions of section five (5) of this act, is hereby declared a nuisance; and any car, truck or vehicle used in the moving or transportation of any food product as aforesaid, which shall be kept or permitted to remain in an unclean, unhealthful or insanitary condition is hereby declared a nuisance. Whoever unlawfully maintains or allows or permits to exist a nuisance as herein defined shall be guilty of a misdemeanor, and on conviction thereof, shall be punished as herein provided. (L. '21, p. 677, sec. 3; amending L. '13, p. 512, sec. 6.)

Sec. 27. Rooms not used for sleeping purposes. It shall be unlawful for any person to sleep, or to allow or permit any person to sleep in any work room of a bake shop, kitchen, dining room, confectionery, creamery, cheese factory, or any place where food is prepared for sale, served or sold, unless all foods therein handled are at all times in hermetically sealed packages. (L. '13, p. 512, sec. 7.)

Sec. 28. Work by diseased persons forbidden. It shall be unlawful for any employer to require, suffer or permit any person who is affected with any contagious, infectious or venereal disease to work, or for any person so affected to work in a building, room, basement, inclosure, or premises or vehicle occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution or transportation of food. (L. '13, p. 512, sec. 8.)

Sec. 29. Powers of food commissioner and inspectors—Order to abate conditions—Hearing—Prosecutions. It shall be the duty of the state food commissioner and food and drug inspectors to enforce this act, and for that purpose the state food commissioner and food and drug inspectors shall have full power at all times to enter every such building, room, basement, inclosure or premises occupied or used or suspected of being occupied or used for the production, preparation, or manufacture for sale, or the storage, sale, distribution or transportation of such food, to inspect the premises and all utensils, fixtures, furniture and machinery used as aforesaid; and any refusal to permit such inspection shall be deemed a violation of this act; and if upon inspection any such food producing or distributing establishment, conveyance, or any employer, employe, clerk, driver or other person is found to be violating any of the provisions of this act, or if the production, preparation, manufacture, packing, storage, sale, distribution or transportation of such food is being conducted in a manner detrimental to the health of the employes and operatives, or to the character or quality of the food therein produced, prepared, manufactured, packed, stored, sold, distributed or conveyed, the state food commissioner or food and drug inspectors shall issue a written order to the person, firm or corporation responsible for the violation or condition aforesaid to abate such condition or violation or to make such changes or improvements as may be necessary to abate them, within such reasonable time as may be required in which to abate them. Notice of such order may be served by delivering a copy thereof to said person, firm or corporation, or by sending a copy thereof by registered mail, and the receipt thereof through the postoffice shall be prima facie evidence that notice of said order has been received. Such person, firm or corporation shall have the right to appear in person or by attorney before the state food commissioner, or the person appointed by him for such purpose, within the time limited in the order, and shall be given an opportunity to be heard and to show why such order or instructions should not be obeyed. Such hearing shall be under such rules and regulations as may be prescribed by the state food commissioner. If after such hearing it shall appear that the provisions or requirements of this act have not been violated, said order shall be rescinded. If it shall appear that the requirements or provisions of this act are being violated, and that the person, firm or corporation notified as aforesaid is responsible therefor, said previous order shall be confirmed or amended, as the facts shall warrant, and shall thereupon be final, but such additional time as is necessary may be granted within which to comply with said final order. If such person, firm or corporation is not present or represented when such final order

is made, notice thereof shall be given as above provided. On failure of the party or parties to comply with the first order of the state food commissioner or food and drug inspector within the time prescribed, when no hearing is demanded or upon failure to comply with the final order within the time specified, the state food commissioner or food and drug inspector shall certify the facts to the district attorney of the county in which such violation occurred, and such district attorney shall proceed against the party or parties for the fines and penalties provided by this act, and also for the abatement of the nuisance; Provided, that the proceedings herein prescribed for the abatement of nuisance as defined in this act shall not in any manner relieve the violator from prosecution in the first instance for any such violation, nor from the penalties for such violation prescribed by section 11 of this act. (L. '21, p. 677, sec. 4; amending L. '13, p. 513, sec. 9.)

Section 11 referred to is §1025.

Sec. 30. Prosecutions—Disposition of fines. All fines collected under the provisions of this act shall be paid into the county treasurer of the county in which the prosecution is brought, and it shall be the duty of the district attorneys in the respective counties to prosecute all persons violating or refusing to obey the provisions of this act. (L. '13, p. 514, sec. 10.)

Sec. 31. Violation of act—Penalty. Whoever violates any of the provisions of this act, or refuses to comply with any lawful order or requirement of the state food commissioner or food and drug inspector, duly made in writing as provided in section 9 of this act, shall be guilty of a misdemeanor and on conviction shall be punished for the first offense by a fine of not more than two hundred dollars (\$200.00), and for the second and subsequent offense by a fine of not more than two hundred dollars (\$200.00) or by imprisonment in the county jail for not more than ninety days, or both, in the discretion of the court; and each day after the expiration of the time limit for abating insanitary conditions and completing improvements to abate such conditions, as ordered by the state food commissioner or food and drug inspector, as aforesaid, shall constitute a distinct and separate offense. (L. '21, p. 679, sec. 5; amending L. '13, p. 514, sec. 11.)

Article VIII—Regulation of Meat and Slaughter Plants

Sec. 49. Unlawful to sell any stale or diseased meat—Killing diseased animal—Inspection of suspected diseased animal. It shall be unlawful for any person, association, firm or corporation to sell, expose for sale, give away for use as human food, or to can or pack for the purpose of transportation to and sale in any market or place in this state, any unwholesome, unhealthy, stale, emaciated, blown, tainted, putrid, or measly meat, or the flesh of any diseased animal not slaughtered for the purpose of food, knowing, or having good reason to believe that such meat is as above described, or that such flesh is the flesh of a diseased animal or of an animal not slaughtered for such purpose, and no person, association, firm or corporation, owning or operating any slaughter house or packing establishment in this state shall receive for the purpose of killing, or kill,

for human food, any diseased animal, or offer for sale the flesh of any animal found to be diseased after slaughter, or render the carcass of any animal that shall die by disease or by consequence of exposure or that shall not have been slaughtered for food, knowing or having good reason to believe that such animal was diseased, or had died from disease or in consequence of exposure, or had not been slaughtered for food. Provided, however, That where such animals have been inspected by a duly qualified inspector of the United States department of agriculture, such animals may be handled according to the rules and regulations of said department under the supervision of said duly qualified inspector, but not otherwise. Whenever any inspector of the United States department of agriculture shall suspect any animal intended for slaughter for food as suspicious, and shall tag the same as a suspected animal, such animal shall be slaughtered only under the supervision and inspection of the state veterinary surgeon, or someone appointed by him for this duty, according to such regulations as may be made by the said state veterinary surgeon, except where such animals are slaughtered under the inspection of the United States department of agriculture. (L. '07, p. 139, sec. 1.)

Sale of diseased meat prohibited, §§950 and 1006.

Sec. 50. Unlawful to sell meat containing artificial coloring, etc. No person by himself or his agent shall offer or expose for sale, take orders for, or sell, or have in his possession with intent to sell for use or consumption, within this state, any sausage or chopped meat compound containing any artificial coloring, chemical preservative or antiseptic, except such as are or may be allowed by the rules and regulations adopted by the United States department of agriculture. (L. '07, p. 140, sec. 2.)

Adulteration of food products, §1001.

Sec. 51. Rules governing packing plants—Unlawful to sell meat labeled to deceive. The state veterinary surgeon is authorized and instructed to adopt the rules and regulations of the United States department of agriculture as they relate to the inspection of live animals and the manufacture, labeling and marketing of meat food products from slaughtering, canning and packing establishments, in so far as they can be applied to the meat food and meat food products manufactured and offered for sale in this state, and it shall be unlawful for any person to sell or offer for sale any meat or meat food products labeled or marked in a manner calculated to deceive the buyer as to what such products are or contain, and any person offering for sale or selling any meat food or meat food product, so prepared and offered for sale as to appear different from what it really is or which contains ingredients not permitted by the regulations of the United States department of agriculture, or which is misrepresented in any way with intention to deceive the buyer, shall be guilty of a misdemeanor under this act. (L. '07, p. 140, sec. 3.)

Misbranding, §1002.

Sec. 52. Inspection of slaughtering plants by state veterinary surgeon. It is hereby made the duty of the state veterinary surgeon to maintain, or cause to be maintained, an inspection of all slaughtering, meat canning,

salting, packing, rendering or similar establishments in this state, in which cattle, sheep, swine, goats, fish or poultry are slaughtered and the meat or meat products thereof prepared and offered for sale as food, and the said state veterinary surgeon shall make, or cause to be made, such inspection of said slaughtering plants and similar establishments where cattle, sheep, swine, goats, fish or poultry are slaughtered and prepared for food, as may be necessary to inform himself concerning the sanitary conditions of the same, and he shall prescribe such rules and regulations of sanitation under which such establishments shall be maintained. Whenever the state veterinary surgeon shall find the conditions of any such establishment of a nature that the meat or food products prepared therein are rendered unclean, unsound, unhealthful, unwholesome or otherwise unfit for human food, he shall immediately condemn and close such establishment and shall prohibit its further use for such purpose until the same shall have been put in a sanitary condition satisfactory to the state veterinary surgeon. (L. '07, p. 141, sec. 4.)

Sec. 53. Inspector of meat and slaughter plants—Salary—Expenses. The state veterinary surgeon is hereby authorized to appoint, with the approval of the governor, a competent man as meat and slaughter plant inspector, who shall act under the direction of the state veterinary surgeon and shall devote all of his time to the inspection of all slaughtering plants and packing establishments, stores, shops, etc., as provided herein, except such as are operating under United States government inspection. Said meat and slaughter plant inspector shall receive a salary of fifteen hundred dollars per annum, to be paid in monthly installments, and such traveling expenses as may be necessary in the actual and necessary performance of his duties, all bills to be approved by the state veterinary surgeon. (L. '19, p. 511, sec. 1.)

Sec. 55. Possession of diseased meat prima facie evidence of violation of act. Whenever the state veterinary surgeon or the state meat and slaughtering plant inspector shall find any diseased, putrid, unwholesome or unhealthy meat or product of any animal known to be diseased, unhealthy, unwholesome, or not slaughtered for food in any slaughtering, packing, canning or rendering establishment, or in any store, shop, cooler, vendor's wagon or other place, where same may be offered for sale for food, or if any such diseased or unwholesome or unfit meat or meat products shall be found in the possession of anyone under conditions that make it reasonably certain that it is the intention of such person to offer the same for food, it shall be prima facie evidence of a violation of this act, and any such person or the owner or owners or employes of any such place shall be deemed guilty of a misdemeanor and subject to the penalty provided herein. (L. '07, p. 142, sec. 7.)

Sec. 56. Diseased meat declared unfit food and destroyed. Whenever the state veterinary surgeon or the state meat and slaughtering plant inspector shall find any such putrid, tainted, diseased, unwholesome, unhealthy meat or meat product, he shall declare the same unfit for human food and immediately take possession of the same for the state and

destroy the same by the cheapest and most practical manner. (L. '07, p. 142, sec. 8.)

Sec. 57. Inspector's right to enter plants for inspection. The state veterinary surgeon or the state meat and slaughtering plant inspector shall have the right to enter and inspect any and all slaughtering, meat canning, salting, packing, rendering or similar establishment in this state, in which cattle, sheep, swine, goats, fish or poultry are slaughtered or prepared for human food, and they shall have the right to enter any store, shop or other place where such meat or meat products are offered for sale for human food and to inspect the same, and to inspect any wagon, cart or other vehicle used by a vendor of meat or meat products, and any opposition or interference with such inspection shall be a misdemeanor under the provisions of this act. (L. '07, p. 142, sec. 9.)

Sec. 58. Violation of act—Penalty. Any violation of any provision of this act shall be deemed a misdemeanor and upon conviction, the violator shall be fined not less than \$50 nor more than \$1,000 or may be imprisoned in the county jail not less than 30 days nor more than six months, or by both such fine and imprisonment. (L. '07, p. 143, sec. 10.)

Sec. 59. Act not to interfere with U. S. inspection. Nothing in this act shall be construed to interfere or apply in any way to those plants in this state where the United States department of agriculture maintains regular inspection. (L. '07, p. 143, sec. 12.)

Chapter 78

Sec. 90. Mix, color, stain or powder any food, drink or medicine without labeling—Penalty. No person shall mix, color, stain or powder any article of food, drink or medicine, or any article which enters into the composition of food, drink or medicine, with any other ingredient or material, whether too injurious to health or not, for the purpose of gain or profit, or sell or offer the same for sale or order or permit any other person to sell or offer for sale any article so mixed, colored, stained, or powdered, unless the same be so manufactured, used or sold, or offered for sale under its true and appropriate name, and notice that the same is mixed or impure is marked, printed or stamped upon each package, roll, parcel or vessel, containing the same, so as to be and remain at all times readily visible, or unless the person purchasing the same is fully informed by the seller of the true name and ingredients (if other than such as are known by the common name thereof) of such article of food, drink or medicine at the time of making sale thereof or offering to sell the same. (L. '93, p. 393, sec. 65.)

Sec. 91. Adulterated foods must be marked. No person shall mix any glucose or grape sugar with syrup, honey or sugar intended for human food, or any oleomargarine, suine, beef fat, lard or any other foreign substance with any butter or cheese intended for human food, or shall mix or mingle any glucose or grape sugar or oleomargarine with any article of food without distinctly marking, stamping, or labeling the article or the package containing the same with the true and appropriate name of such

article and the percentage in which glucose or grape sugar, oleomargarine or suine enter into its composition; nor shall any person sell or offer for sale, or order or permit to be sold or offered for sale, any such food into the composition of which glucose or grape sugar or oleomargarine or suine has entered, without at the same time informing the buyer of the fact, and the proportions in which such glucose or grape sugar or oleomargarine or suine has entered into its composition. (L. '93, p. 393, sec. 66.)

Sec. 92. Violation of act—Penalty. Any person convicted of violating any provision of any of the foregoing sections of this act shall be fined not more than fifty dollars or imprisoned in the county jail not exceeding three months. (L. '93, p. 393, sec. 67.)

Sec. 98. Sale of poison without marking—Penalty. Every apothecary, druggist or other person who shall sell and deliver at retail any arsenic, corrosive sublimate, prussic acid or any other substance or liquid usually denominated poisonous without having the word "Poison" and the true name thereof and the name of some simple antidote, if any is known, written or printed upon the label attached to the vial, box or parcel containing the same shall be punished by a fine, not exceeding one hundred dollars. (L. '93, p. 395, sec. 74.)

Sec. 99. Unlawful to sell or advertise substance to procure abortion. No person shall in any manner except as hereinafter provided, advertise, publish, sell, or publicly expose for sale any pills, powder, drugs or combination of drugs, designed expressly for the use of females for the purpose of procuring an abortion. (L. '93, p. 396, sec. 75.)

Sec. 100. Drug or medicine producing abortion sold only on prescription—Registered. Any drug or medicine known to be designed and expressly prepared for producing abortion shall be sold only upon the written prescription of an established practicing physician of the city, village or county in which the sale is made, and the druggist or dealer selling the same shall, in a book provided for that purpose, register the name of the purchaser, the date of the sale, the kind and quantity of the medicine sold and the name and residence of the physician prescribing the same. (L. '93, p. 396, sec. 76.)

Sec. 101. Penalty for violation of three preceding sections. Any person violating any of the provisions of sections seventy-four, seventy-five or seventy-six of this act shall, upon conviction thereof, be punished by a fine of not less than twenty-five (25) dollars, nor more than one hundred dollars at the discretion of the court. (L. '93, p. 396, sec. 77.)

Sec. 102. Advertisement of substances to cure private diseases, prevent conception or procure abortion unlawful—Penalty. The publication, circulation or sale within this state of any circular, newspaper, pamphlet, or other book, containing receipts or prescriptions, immoral in tendency, for the cure of chronic female complaints or private diseases, or recipes or prescriptions for drops, pills, tinctures, or other compounds, designed to prevent inceptions, or tending to procure miscarriage or abortion, is hereby prohibited; and the publisher, circulator and seller thereof shall each be deemed guilty of a misdemeanor and shall upon conviction be

liable to a fine of not less than ten or more than one hundred dollars for each offense. (L. '93, p. 396, sec. 78.)

Chapter 48

Sec. 288. Public drinking vessels prohibited unless sterilized. It shall be unlawful after August 1, 1911, for any person, board of managers or trustees, company or corporation, having charge or control of any hotel, restaurant, theatre, store, hall, schoolhouse, church, station, railroad train, steam or electric car, or other institution or conveyance frequented by the public, or which may be used for the purpose of a public assembly, or as a place of employment, to furnish any cup, vessel, or other receptacle to be used promiscuously as a common drinking cup, or permit any cup, vessels, or other receptacle to remain in any public place to which more than one person may have access, for the common, indiscriminate, or promiscuous use or purpose of drinking therefrom: Provided, That nothing in this act shall prohibit the use of a common drinking vessel, in case proper and adequate provision be furnished for sterilizing the same, and such cup be thoroughly sterilized after each use thereof.

Sec. 289. Violation of act—Penalty. Any person, board of managers or trustees, company or corporation having charge or control of any hotel, restaurant, theatre, store, hall, schoolhouse, church, station, railroad train, steam or electric car, or other institution or conveyance frequented by the public, or which may be used for the purpose of a public assembly, or as a place of employment, who shall violate the provisions of this act shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than \$5.00, nor more than \$200.00.

Sec. 290. Jurisdiction—Justice of the peace. Justices of the peace in their respective jurisdiction, and police magistrates in cities and towns shall have jurisdiction of offenses under this act.

Sec. 317. Misrepresentations to effect sales—Misdemeanor. Any person, firm, corporation or association who, with intent to sell or in any wise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this state, in a newspaper or other publication, or in the form of a book, notice, hand-bill, poster, bill, circular, pamphlet or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation or statement which is untrue, deceptive, or misleading shall be guilty of a misdemeanor.

Sec. 318. Violation of section—Penalty. On conviction of each and every offense, as hereinabove set forth, the violator shall be punished by a fine of not less than ten dollars, nor more than three hundred dollars, or by

imprisonment in the county jail for a term not exceeding thirty days, or by both such fine and imprisonment.

Chapter 58—Narcotic Act

Sec. 28. Definitions. The following words and phrases, as used in this act, shall have the following meanings, unless the context otherwise requires:

(1) **"Person"** includes any corporation, association, co-partnership, or one or more individuals.

(2) **"Physician"** means a person authorized by law to practice medicine in this state and any other person authorized by law to treat sick and injured human beings in this state and to use narcotic drugs in connection with such treatment.

(3) **"Dentist"** means a person authorized by law to practice dentistry in this state.

(4) **"Veterinarian"** means a person authorized by law to practice veterinary medicine in this state.

(5) **"Manufacturer"** means a person who by compounding, mixing, cultivating, growing, or other process, produces or prepares narcotic drugs, but does not include an apothecary who compounds narcotic drugs to be sold or dispensed on prescriptions.

(6) **"Wholesaler"** means a person who supplies narcotic drugs that he himself has not produced nor prepared, on official written orders, but not on prescriptions.

(7) **"Apothecary"** means a licensed pharmacist as defined by the laws of this state and, where the context so requires, the owner of a store or other place of business where narcotic drugs are compounded or dispensed by a licensed pharmacist; but nothing in this act shall be construed as conferring on a person who is not registered nor licensed as a pharmacist any authority, right, or privilege that is not granted to him by the pharmacy laws of this state.

(8) **"Hospital"** means an institution for the care and treatment of the sick and injured, approved by the State Board of Health as proper to be entrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a physician, dentist, or veterinarian.

(9) **"Laboratory"** means a laboratory approved by the State Board of Health as proper to be entrusted with the custody of narcotic drugs and the use of narcotic drugs for scientific and medical purposes and for purposes of instruction.

(10) **"Sale"** includes barter, exchange, or gift, or offer therefor, and each such transaction made by any person, whether as principal, proprietor, agent, servant, or employee.

(11) **"Coca Leaves"** includes cocaine and any compound, manufacture, salt, derivative, mixture, or preparation of coca leaves, except derivatives of coca leaves which do not contain cocaine, ecgonine, or substances from which cocaine or ecgonine may be synthesized or made.

(12) "Opium" includes morphine, codeine, and heroin, and any compound, manufacture, salt, derivative, mixture, or preparation of opium, but does not include apomorphine or any of its salts.

(13) "Cannabis" includes the following substances under whatever names they may be designated: (a) The dried flowering or fruiting tops of the pistillate plant *Cannabis Sativa* L., from which the resin has not been extracted, (b) the resin extracted from such tops, and (c) every compound, manufacture, salt, derivative, mixture, or preparation of such resin, or of such tops from which the resin has not been extracted.

(14) "Narcotic drugs" means coca leaves, opium, cannabis, and every substance neither chemically nor physically distinguishable from them.

(15) "Federal narcotic laws" means the laws of the United States relating to opium, coca leaves, and other narcotic drugs.

(16) "Official written order" means an order written on a form provided for that purpose by the United States Commissioner of Narcotics, under any laws of the United States making provision therefor, if such order forms are authorized and required by federal law, and if no such order form is provided, then on an official form provided for that purpose by the State Board of Health.

(17) "Dispense" includes distribute, leave with, give away, dispose of, or deliver.

(18) "Registry number" means the number assigned to each person registered under the Federal Narcotic Laws.

Sec. 29. Acts prohibited. It shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, administer, dispense, or compound any narcotic drug, except as authorized in this act.

Sec. 30. Manufacturers and Wholesalers. No person shall manufacture, compound, mix, cultivate, grow, or by any other process produce or prepare narcotic drugs, and no person as a wholesaler shall supply the same, without having first obtained a license so to do from the State Board of Health.

Sec. 31. Qualification for Licenses. No license shall be issued under the foregoing section unless and until the applicant therefor has furnished proof satisfactory to the State Board of Health:

(a) That the applicant is of good moral character or, if the applicant be an association or corporation, that the managing officers are of good moral character.

(b) That the applicant is equipped as to land, buildings, and paraphernalia properly to carry on the business described in his application.

No license shall be granted to any person who has within five years been convicted of a willful violation of any law of the United States, or of any state, relating to opium, coca leaves, or other narcotic drugs, or to any person who is a narcotic drug addict.

The State Board of Health may suspend or revoke any license for cause.

Sec. 32. Sale on written orders.

(1) A duly licensed manufacturer or wholesaler may sell and dispense narcotic drugs to any of the following persons, but only on official written orders:

- (a) To a manufacturer, wholesaler, or apothecary.
- (b) To a physician, dentist, or veterinarian.
- (c) To a person in charge of a hospital, but only for use by or in that hospital.

(d) To a person in charge of a laboratory, but only for use in that laboratory for scientific and medical purposes.

(2) A duly licensed manufacturer or wholesaler may sell narcotic drugs to any of the following persons:

(a) On a special written order accompanied by a certificate of exemption, as required by the Federal Narcotic Laws to a person in the employ of the United States government or of any state, territorial, district, county, municipal, or insular government, purchasing, receiving, possessing, or dispensing narcotic drugs by reason of his official duties.

(b) To a master of a ship or a person in charge of any aircraft upon which no physician is regularly employed for the actual medical needs of persons on board such ship or aircraft, when not in port. Provided, such narcotic drugs shall be sold to the master of such ship or person in charge of such aircraft only in pursuance of a special order form approved by a commissioned medical officer or acting assistant surgeon of the United States Public Health Service.

(c) To a person in a foreign country if the provisions of the Federal Narcotic Laws are complied with.

(3) Use of Official Written Orders. An official written order for any narcotic drug shall be signed in duplicate by the person giving said order or by his duly authorized agent. The original shall be presented to the person who sells or dispenses the narcotic drug or drugs named therein. In event of the acceptance of such order by said person, each party to the transaction shall preserve his copy of such order for a period of two years in such a way as to be readily accessible for inspection by any public officer or employe engaged in the enforcement of this act. It shall be deemed a compliance with this sub-section if the parties to the transaction have complied with the Federal Narcotic Laws respecting the requirements governing the use of order forms.

(4) Possession Lawful. Possession of or control of narcotic drugs obtained as authorized by this section shall be lawful if in the regular course of business, occupation, profession, employment, or duty of the possessor.

(5) A person in charge of a hospital or of a laboratory, or in the employ of this state or of any other state, or of any political subdivision thereof, and a master or other proper officer of a ship or aircraft, who obtains narcotic drugs under the provisions of this section, or otherwise, shall not administer, nor dispense, nor otherwise use such drugs, within

this state, except within the scope of his employment or official duty, and then only for scientific or medicinal purposes and subject to the provisions of this act.

Sec. 33. Sales by apothecaries.

(1) An apothecary, in good faith, may sell and dispense narcotic drugs to any person upon a written prescription of a physician, dentist, or veterinarian, dated and signed by the person prescribing on the day when issued and bearing the full name and address of the patient for whom, or of the owner of the animal for which, the drug is dispensed, and the full name, address and registry number under the Federal Narcotic Laws of the person prescribing, if he is required by those laws to be so registered. If the prescription be for an animal, it shall state the species of animal for which the drug is prescribed. The person filling the prescription shall write the date of filling and his own signature on the face of the prescription. The prescription shall be retained on file by the proprietor of the pharmacy in which it is filed for a period of two years, so as to be readily accessible for inspection by any public officer or employe engaged in the enforcement of this act. The prescription shall not be refilled.

(2) The legal owner of any stock of narcotic drugs in a pharmacy, upon discontinuance of dealing in said drugs, may sell said stock to a manufacturer, wholesaler, or apothecary, but only on an official written order.

(3) An apothecary, only upon an official written order, may sell to a physician, dentist, or veterinarian, in quantities not exceeding one ounce at any one time, aqueous or oleaginous solutions of which the content of narcotic drugs does not exceed a proportion greater than twenty per cent of the complete solution, to be used for medical purposes.

Sec. 34. Professional use of narcotic drugs.

(1) Physicians and Dentists. A physician or a dentist, in good faith and in the course of his professional practice only, may prescribe, administer, and dispense narcotic drugs, or he may cause the same to be administered by a nurse or interne under his direction and supervision.

(2) Veterinarians. A veterinarian, in good faith and in the course of his professional practice only, and not for use by a human being, may prescribe, administer, and dispense narcotic drugs, and he may cause them to be administered by an assistant or orderly under his direction and supervision.

(3) Return of Unused Drugs. Any person who has obtained from a physician, dentist, or veterinarian any narcotic drug for administration to a patient during the absence of such physician, dentist, or veterinarian, shall return to such physician, dentist, or veterinarian any unused portion of such drug, when it is no longer required by the patient.

Sec. 35. Preparations exempted. Except as otherwise in this act specifically provided, this act shall not apply to the following cases:

(1) Prescribing, administering, dispensing, or selling at retail of

any medicinal preparation that contains in one fluid ounce, or if a solid or semi-solid preparation, in one avoirdupois ounce, (a) no more than two grains of opium, (b) not more than one-quarter of a grain of morphine or of any of its salts, (c) not more than one grain of codeine or of any of its salts, (d) not more than one-eighth of a grain of heroin or any of its salts, (e) not more than one-half of a grain of extract of cannabis nor more than one-half of a grain of any more potent derivative or preparation of cannabis, (f) and not more than one of the drugs named above in clauses (a), (b), (c), (d), and (e).

(2) Prescribing, administering, dispensing, or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain narcotic drugs in such combinations as prevent their being readily extracted from such liniment, ointments, or preparations, except that this act shall apply to all liniments, ointments, and other preparations, that contain coca leaves in any quantity or combination.

The exemptions authorized by this section shall be subject to the following conditions:

(a) No person shall prescribe, administer, dispense, or sell under the exemptions of this section, to any one person, or for the use of any one person or animal, any preparation or preparations included within this section, when he knows, or can by reasonable diligence ascertain, that such prescribing, administering, dispensing, or selling will provide the person to whom, or for whose use, or the owner of the animal for the use of which such preparation is prescribed, administered, dispensed, or sold, within any forty-eight consecutive hours, with more than four grains of opium, or more than one-half grain of morphine or any of its salts, or more than two grains of codeine or of any of its salts, or more than one-quarter of a grain of heroin or of any of its salts, or more than one grain of extract of cannabis or one grain of any more potent derivative or preparation of cannabis, or will provide such person or the owner of such animal, within forty-eight consecutive hours, with more than one preparation exempted by this section from the operation of this act.

(b) The medicinal preparation or the liniment, ointment, or other preparation susceptible of external use only, prescribed, administered, dispensed, or sold, shall contain in addition to the narcotic drug in it, some drug or drugs conferring upon it medicinal qualities other than those possessed by the narcotic drug alone. Such preparation shall be prescribed, administered, dispensed, and sold in good faith as a medicine, and not for the purpose of evading the provisions of this act.

Nothing in this section shall be construed to limit the kind and quality of any narcotic drug that may be prescribed, administered, dispensed, or sold to any person or for the use of any person or animal, when it is prescribed, administered, dispensed, or sold, in compliance with the general provisions of this act.

Sec. 36. Record to be kept.

(1) Physicians, dentists, veterinarians, and other authorized persons. Every physician, dentist, veterinarian, or other person who is

authorized to administer or professionally use narcotic drugs, shall keep a record of such drugs received by him, and a record of all such drugs administered, dispensed, or professionally used by him otherwise than by prescription. It shall, however, be deemed a sufficient compliance with this sub-section if any such person using small quantities of solutions or other preparations of such drugs for local application, shall keep a record of the quantity, character, and potency of such solutions or other preparations purchased or made up by him, and of the dates when purchased or made up, without keeping a record of the amount of such solution or other preparation applied by him to individual patients.

Provided, That no record need be kept of narcotic drugs administered, dispensed, or professionally used in the treatment of any one patient, when the amount administered, dispensed, or professionally used for that purpose does not exceed in any forty-eight consecutive hours, (a) four grains of opium, or (b) one-half of a grain of morphine or of any of its salts, or (c) two grains of codeine or of any of its salts, or (d) one-fourth of a grain of heroin or of any of its salts, or (e) one grain of extract of cannabis or one grain of any more potent derivative or preparation of cannabis, or (f) a quantity of any other narcotic drug or any combination of narcotic drugs that does not exceed in pharmacologic potency any one of the drugs named above in the quantity stated.

(2) **Manufacturers and wholesalers.** Manufacturers and wholesalers shall keep records of all narcotic drugs compounded, mixed, cultivated, grown, or by any other process produced or prepared, and of all narcotic drugs received and disposed of by them, in accordance with the provisions of sub-section 5 of this section.

(3) **Apothecaries.** Apothecaries shall keep records of all narcotic drugs received and disposed of by them, in accordance with the provisions of sub-section 5 of this section.

(4) **Vendors of exempted preparations.** Every person who purchases for resale, or who sells narcotic drug preparations exempted by section 8 of this act, shall keep a record showing the quantities and kinds thereof received and sold, or disposed of otherwise, in accordance with the provisions of sub-section 5 of this section.

(5) **Form and preservation of records.** The form of records shall be prescribed by the State Board of Health. The record of narcotic drugs received shall in every case show the date of receipt, the name and address of the person from whom received, and the kind and quantity of drugs received; the kind and quantity of narcotic drugs produced or removed from process of manufacture, and the date of such production or removal from process of manufacture; and the record shall in every case show the proportion of morphine, cocaine, or ecgonine contained in or producible from crude opium or coca leaves received or produced, and the proportion of resin contained in or producible from the dried flowering or fruiting tops of the pistillate plant *Cannabis Sativa* L., from which the resin has not been extracted, received or produced. The record of all narcotic drugs sold, administered, dispensed, or otherwise disposed of, shall show the date of selling, administering, or dispensing, the name

and address of the person to whom, or for whose use, or the owner and species of animal for which the drugs were sold, administered or dispensed, and the kind and quantity of drugs. Every such record shall be kept for a period of two years from the date of the transaction recorded. The keeping of a record required by or under the Federal Narcotic Laws, containing substantially the same information as is specified above, shall constitute compliance with this section, except that every such record shall contain a detailed list of narcotic drugs lost, destroyed, or stolen, if any, the kind and quantity of such drugs, and the date of the discovery of such loss, destruction, or theft.

Sec. 37. Labels.

(1) Whenever a manufacturer sells or dispenses a narcotic drug, and whenever a wholesaler sells or dispenses a narcotic drug in a package prepared by him, he shall securely affix to each package in which that drug is contained a label showing in legible English the name and address of the vendor and the quantity, kind, and form of narcotic drug contained therein. No person, except an apothecary for the purpose of filling a prescription under this act, shall alter, deface or remove any label so affixed.

(2) Whenever an apothecary sells or dispenses any narcotic drug on a prescription issued by a physician, dentist, or veterinarian, he shall affix to the container in which such drug is sold or dispensed, a label showing his own name, address, and registry number, or the name, address, and registry number of the apothecary for whom he is lawfully acting; the name and address of the patient or, if the patient is an animal, the name and address of the owner of the animal and the species of the animal, the name, address and registry number of the physician, dentist, or veterinarian by whom the prescription was written; and such directions as may be stated on the prescription. No person shall alter, deface, or remove any label so affixed.

Sec. 38. Authorized possession of narcotic drugs by individuals. A person to whom or for whose use any narcotic drug has been prescribed, sold, or dispensed by a physician, dentist, apothecary, or other person authorized under the provisions of section 5 of this act, and the owner of any animal for which any such drug has been prescribed, sold, or dispensed by a veterinarian, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same.

Any sheriff, deputy sheriff, constable, health officer, or any municipal officer designated by ordinance, acting within his jurisdiction, having personal knowledge or reasonable information that any of the drugs mentioned in this act are kept in violation of law or on any person or in any place, shall search such suspected person or place without a warrant and without any affidavit being filed, and if such officer find upon the person or the premises such drugs, he shall seize the same and arrest any person or persons in charge of such places or on whom such drugs are found, and shall take such person or persons with such drugs so seized forthwith, or as soon as convenient, before a justice of the peace or

judge of any court in the county in which such seizure is made having jurisdiction as herein provided to try cases for violation of this act, and such officer shall without delay make and file a complaint for such violation of law as the evidence justifies. It shall be lawful for officers in executing the duties imposed upon them by this section to break open doors or other enclosures for the purpose of obtaining possession of any such drugs, vessels, implements and furniture, and to use such reasonable force as may be necessary to search any such suspected person.

If any person make an affidavit before any justice of the peace, or judge of any county or district court, stating that he has reason to and does believe that any person has in his possession or under his control any of the drugs mentioned in this act, within the jurisdiction of such justice or court, and described in such affidavit the person, premises, wagon, automobile, vehicle, contrivance, thing or device to be searched, then such justice, or the judge of such court, shall issue a warrant to any officer which the complaint may designate having power to serve original process, commanding such officer to search the person, premises, wagon, automobile, vehicle, contrivance, thing or device described in such affidavit. Such warrant shall be substantially as follows:

STATE OF COLORADO, }
COUNTY OF..... } ss.

The People of the State of Colorado to.....Greeting:

Whereas there has been filed with the undersigned an affidavit of which the following is a copy (here copy the affidavit):

Therefore, you are hereby commanded, in the name of the people of the State of Colorado, forthwith, together with the necessary and proper assistance, to search.....
.....
(here describe the person, place or thing mentioned in the affidavit) of the said....., situate or being in the.....
of....., in the county of.....aforesaid,
and there diligently search for the said drugs, and that you bring the same, or any part thereof, found in such search, together with such vessels in which such drugs are found, and the implements and furniture used in connection therewith, forthwith before me to be disposed of and dealt with according to law.

Given under my hand and seal this.....day of.....
A. D. 19....

.....
Judge of the.....Court
or
Justice of the Peace.

The officer charged with the execution of said warrant may, when necessary to obtain entrance, or when entrance has been refused, break open any premises, wagon, automobile, vehicle, contrivance, thing or device which by said warrant he is directed to search; and such officer

shall have the right to use such reasonable force as may be necessary to search any person whom by said warrant he is directed to search.

Sec. 39. Persons and corporations exempted. The provisions of this act restricting the possession and having control of narcotic drugs shall not apply to common carriers or to warehousemen, while engaged in lawfully transporting or storing such drugs, or to any employe of the same acting within the scope of his employment; or to public officers or their employes in the performance of their official duties requiring possession or control of narcotic drugs; or to temporary incidental possession by employes or agents of persons lawfully entitled to possession, or by persons whose possession is for the purpose of aiding public officers in performing their official duties.

Sec. 40. Common nuisances. Any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any place whatever, which is resorted to by narcotic drug addicts for the purpose of using narcotic drugs or which is used for the illegal keeping or selling of the same, shall be deemed a common nuisance. No person shall keep or maintain such a common nuisance.

Sec. 41. Narcotic drugs to be delivered to state official, etc. All narcotic drugs, the lawful possession of which is not established or the title to which cannot be ascertained, which have come into the custody of a peace officer, shall be forfeited, and disposed of as follows:

(a) Except as in this section otherwise provided, the court or magistrate having jurisdiction shall order such narcotic drugs forfeited and destroyed. A record of the place where said drugs were seized, of the kinds and quantities of drugs so destroyed, and of the time, place, and manner of destruction, shall be kept, and a return under oath, reporting said destruction, shall be made to the court or magistrate and to the United States Commissioner of Narcotics, by the officer who destroys them.

(b) Upon written application by the State Board of Health, the court or magistrate by whom the forfeiture of narcotic drugs has been decreed may order the delivery of any of them, except heroin and its salts and derivatives, to said State Board of Health, for distribution or destruction, as hereinafter provided.

(c) Upon application by any hospital within this state, not operated for private gain, the State Board of Health may in its discretion deliver any narcotic drugs that have come into their custody by authority of this section to the applicant for medicinal use. The State Board of Health may from time to time deliver excess stocks of such narcotic drugs to the United States Commissioner of Narcotics, or may destroy the same.

(d) The State Board of Health shall keep a full and complete record of all drugs received and of all drugs disposed of, showing the exact kinds, quantities, and forms of such drugs; the persons from whom received and to whom delivered; by whose authority received, delivered, and destroyed, and the dates of the receipt, disposal or destruction, which

record shall be open to inspection by all federal or state officers charged with the enforcement of federal and state narcotic laws.

Sec. 42. Notice of conviction to be sent to licensing board. On the conviction of any person of the violation of any provision of this act, a copy of the judgment and sentence, and of the opinion of the court or magistrate, if any opinion be filed, shall be sent by the clerk of the court, or by the magistrate, to the board or officer, if any, by whom the convicted defendant has been licensed or registered to practice his profession or to carry on his business. On the conviction of any such person, the court may, in its discretion, suspend or revoke the license or registration of the convicted defendant to practice his profession or to carry on his business. On the application of any person whose license or registration has been suspended or revoked, and upon proper showing and for good cause, said board or officer may reinstate such license or registration.

Sec. 43. Records, confidential. Prescriptions, orders, and records, required by this act, and stocks and narcotic drugs, shall be open for inspection only to federal, state, county, and municipal officers, whose duty it is to enforce the laws of this state or of the United States relating to narcotic drugs. No officer having knowledge by virtue of his office of any such prescription, order, or record shall divulge such knowledge, except in connection with a prosecution or proceeding in court or before a licensing or registration board or officer, to which prosecution or proceeding the person to whom such prescriptions, orders, or records relate is a party.

Sec. 44. Fraud or deceit.

(1) No person shall obtain or attempt to obtain a narcotic drug, or procure or attempt to procure the administration of a narcotic drug, (a) by fraud, deceit, misrepresentation, or subterfuge; or (b) by the forgery or alteration of a prescription or of any written order; or (c) by the concealment of a material fact; or (d) by the use of a false name or the giving of a false address.

(2) Information communicated to a physician in an effort unlawfully to procure a narcotic drug, or unlawfully to procure the administration of any such drug, shall not be deemed a privileged communication.

(3) No person shall wilfully make a false statement in any prescription, order, report, or record required by this act.

(4) No person shall, for the purpose of obtaining a narcotic drug, falsely assume the title of, or represent himself to be, a manufacturer, wholesaler, apothecary, physician, dentist, veterinarian, or other authorized person.

(5) No person shall make or utter any false or forged prescription or false or forged written order.

(6) No person shall affix any false or forged label to a package or receptacle containing narcotic drugs.

(7) The provisions of this section shall apply to all transactions relating to narcotic drugs under the provisions of section 8 of this act, in the same way as they apply to transactions under all other sections.

Sec. 45. Exceptions and exemptions not required to be negatived. In any complaint, information, or indictment, and in any action or proceeding brought for the enforcement of any provision of this act, it shall not be necessary to negative any exception, excuse, proviso, or exemption contained in this act, and the burden of proof of any such exception, excuse, proviso, or exemption shall be upon the defendant.

Sec. 46. Enforcement and cooperation. It is hereby made the duty of the State Board of Health, its officers, agents, inspectors, and representatives, and of all peace officers within the state, and of all district attorneys, to enforce all provisions of this act, except those specifically delegated, and to cooperate with all agencies charged with the enforcement of the laws of the United States, of this state and of all other states, relating to narcotic drugs.

Sec. 47. Penalties. Any person violating any provision of this act shall upon conviction be punished, for the first offense, by a fine not exceeding three hundred dollars (\$300.00), or by imprisonment in the county jail for not exceeding six months, or by both such fine and imprisonment, and for any subsequent offense, by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment in the state penitentiary for not exceeding three years, or by both such fine and imprisonment.

Sec. 48. Effect of acquittal or conviction under federal narcotic laws. No person shall be prosecuted for a violation of any provision of this act if such person has been acquitted or convicted under the Federal Narcotic Laws of the same act or omission which, it is alleged, constitutes a violation of this act.

Sec. 49. Interpretation. This act shall be so interpreted and construed as to effectuate its general purpose, to make uniform the laws of those states which enact it.

Article IV, Chapter 58—Colorado Caustic Alkali Law, 1925

Sec. 61. Dangerous caustic or corrosive substances defined. For the purpose of this act the term "dangerous caustic or corrosive substances" means each and all of the acids, alkalies and substances below.

(a) Potassium hydroxide and any preparation containing free or chemically unneutralized potassium hydroxide (KOH), including caustic potash and vienna paste, in a concentration of ten per centum or more.

(b) Sodium hydroxide and any preparation containing free or chemically unneutralized sodium hydroxide (NaOH), including caustic soda and lye, in a concentration of ten per centum or more.

Sec. 62. Require conspicuous label on retail package. Any retail parcel, package or container of any dangerous caustic or corrosive substance shall be and is hereby declared to be a misbranded parcel, package or container, unless containing a conspicuous, easily legible label or sticker containing

(a) The name of the article;

(b) The name and place of business of the manufacturer, packer, seller, or distributor;

(c) The word "POISON," running parallel with the main body of reading matter on said label or sticker, on a clear, plain background of a distinctly contrasting color, in uncondensed gothic capital letters, the letters to be not less than 24 point size, unless there is on said label no other type so large, in which event the type shall be not smaller than the largest type on the label, and

(d) Direction for treatment in case of accidental personal injury by any dangerous caustic or corrosive substance.

Sec. 63. Sending misbranded package out of the state—Prohibited. No person shall, for sale, barter, or exchange, send or carry, or pack or hold with intent to send or carry, from the State of Colorado, into any other state, or into any territory, the District of Columbia, or any other place under the exclusive jurisdiction of the United States, any dangerous caustic or corrosive substance in a misbranded parcel, package, or container.

Provided, that this section shall not apply to any regularly established common carrier in the ordinary course of its business; nor to the packing, holding for export, or exporting to a foreign country, of any dangerous caustic or corrosive substance in parcels, packages or containers, branded in accordance with the specifications of the foreign purchaser, when not in conflict with the laws of said foreign country.

Sec. 64. Bringing misbranded package into state—Prohibited. No person shall, for sale, barter or exchange, receive in the State of Colorado from any other state, or from any territory, the District of Columbia, or any other place under the exclusive jurisdiction of the United States, any dangerous caustic or corrosive substance in a misbranded parcel, package or container.

Provided, that this section shall not apply to any regularly established common carrier in the ordinary course of its business; nor to any broker receiving such substance in the ordinary course of his business, for export to a foreign country, in parcels, packages, or containers labeled in accordance with the specifications of the foreign purchaser, when not in conflict with the laws of the said foreign country.

Sec. 65. Dealing in misbranded package in state—Prohibited. No person shall sell, barter, or exchange, or receive, hold, pack, display, or offer for sale, barter, or exchange, in the State of Colorado, any dangerous caustic or corrosive substance in a misbranded parcel, package, or container, said parcel, package or container.

Sec. 66. Dangerous substance in misbranded package proceeded against wherever found. Any dangerous caustic or corrosive substance in a misbranded parcel, package, or container that is being sold, bartered, or exchanged, or held, displayed or offered for sale, barter or exchange, or for shipment or carriage to a foreign country, or to any other state, or to any territory, the District of Columbia, or any other place under the exclusive jurisdiction of the United States shall be liable to be proceeded

against in any district court within the jurisdiction of which the same is found and seized for confiscation by a process of libel; and if such substance is condemned as misbranded by said court, it shall be disposed of by destruction or sale, as the court may direct; and if sold, the proceeds less the actual costs and charges shall be paid over to the general fund of this state; but such substance shall not be sold contrary to the provisions of the laws of the state; Provided, however, that upon the payment of the costs of such proceedings and the execution and delivery of a good and sufficient bond to the effect that such substance will not be unlawfully sold or otherwise disposed of, the court may by order direct that such substance be delivered to the owner thereof.

Sec. 67. Violation of act. Any person violating the provisions of this act shall upon conviction thereof be punished by a fine of not more than two hundred (\$200.00) dollars, or by imprisonment for not more than ninety days, or by both such fine and imprisonment, in the discretion of the court.

Sec. 68. Enforcement by food and drug division. Any health officer or inspector of the food and drug division shall enforce the provisions of this act, and he is hereby authorized and empowered to approve and register such brands and labels intended for use under the provisions of this act as may be submitted to him for that purpose and as may, in his judgment, conform to the requirements of this statute; Provided, however, that in any prosecution under this act the fact that any brand or label involved in said prosecution has not been submitted to said health officer or inspector for approval, or if submitted, has not been approved by him, shall be immaterial.

Sec. 69. District attorney prosecute. Every district attorney to whom there is presented, or who in any way procured satisfactory evidence of any violation of the provisions of this act shall cause appropriate proceedings to be commenced and prosecuted in the proper courts, without delay, for the enforcement of the penalties as in such cases herein provided.

Sec. 70. Act—How cited. This act may be cited as the "Colorado Caustic Alkali Act, 1925."

Chapter 81—Restaurant Law, 1935

Sec. 13. Purpose. The control and regulation of premises or places wherein food is prepared and sold or served for consumption on such premises; the establishment of standards of purity for foods; and the enforcement of sanitary safeguards imposed upon food handlers, being necessary, this act shall be deemed an exercise of the police powers of the state for the protection of the social welfare and the health of the people of the State of Colorado.

Sec. 14. Definitions. As used in this act,

(a) "Person" shall mean natural person, partnership, copartnership, association, company, corporation, organization, or manager, agent, servant, officer or employee of any of them.

(b) "Food" shall mean any substance used, or intended to be used, for human consumption, when the same is prepared for consumption to be consumed upon the premises where sold, which, among other things, shall include all meat, fish, vegetables, bread and condiments, whether simple, mixed or compounded, but shall not include soft drinks, ice cream or ices, and confections.

(c) "Restaurant" shall mean an establishment provided with special space and accommodations wherein, in consideration of payment, meals are habitually furnished to guests, or a place where food is prepared for human consumption to be consumed upon the premises, and whose principal business is the sale of meals, and in which room nothing is sold excepting meals, food, drink and tobaccos. Any establishment connected with any business whatsoever, excepting the hotel business and railway dining cars or any room in any place whatsoever, wherein any business is conducted excepting the sale of meals, foods, drinks and tobaccos, or hotel business, is hereby declared not to be a restaurant.

(d) "Board" shall mean "State Board of Health" and its authorized inspectors, agents and employees.

(e) "License" shall mean a grant to a licensee to conduct a "restaurant" as defined in this act.

Sec. 15. Unlawful acts. From and after a period of thirty (30) days after the effective date of this act, it shall be unlawful:

(a) For any person to conduct a "restaurant" without having obtained a license so to do from the State Board of Health and in accordance with the provisions of this act.

(b) To sell or serve to any person or to the public any "food" except the same shall be sold or served in a licensed "restaurant," as defined in this act; Provided, however, that nothing in Section 3 of this act shall prohibit or limit the operation of private boarding houses, or the serving of food by individuals, organizations, or charitable institutions, engaging only in the occasional sale or serving of food.

(c) For any person to violate any of the provisions of this act, or the sanitary rules and regulations made hereunder, or to violate any of the rules and regulations of the State Board of Health made pursuant to the provisions of this act.

Sec. 16. State Board of Health licensing and inspection agency. For the purpose of regulating and controlling "restaurants," establishing of sanitary conditions therein and the enforcement and administration of this act, the State Board of Health is hereby designated, empowered, and authorized as the state licensing and inspection agency.

Sec. 17. Powers and duties of State Board of Health. The duties and authority of the State Board of Health shall be as follows:

(a) To grant, refuse, suspend or revoke licenses provided by this act.

(b) To establish a uniform code of sanitary rules and regulations for the preparation, sale and serving of "food"; to make such other rules and regulations for the effective administration and enforcement of this act not inconsistent with the provisions of this act.

(c) To hear and determine all complaints against licensees, and to administer oaths, and issue subpoenas to require the presence of person or persons necessary to the determination of any hearing so held.

(d) To keep in its office a complete record of all the acts and transactions of the Board, which record shall be open to inspection by the public.

(e) To enforce the provisions of this act and the code of sanitary rules and regulations, and other rules and regulations made hereunder.

(f) To cause to be inspected all places licensed by it, at any or all reasonable times.

Sec. 18. Licenses. Any person owning and/or operating a "restaurant" within this state shall, within thirty (30) days after the effective date hereof, make application to the State Board of Health for a license as herein provided. Any other person desiring to own and/or operate a "restaurant" in this state shall, before undertaking such business, make application to the State Board of Health, as herein provided. Application for licenses under the provisions of this act shall be made to the State Board of Health, on forms prepared and furnished by the Board, and shall set forth such information as the director may require, including the name and address of the applicant, together with all the other information deemed necessary by the Board. Before granting any license for which application has been made, the Board may visit and inspect the "restaurant" or property in which the applicant conducts or proposes to conduct his business. The Board may refuse a license for failure to comply with the sanitary code, or other rules and regulations, or if, in its opinion, the premises on which the applicant conducts or proposes to conduct his business do not meet the requirements of this act. Upon written demand by an applicant who has been refused a license, the Board shall state in writing its reasons for such refusal. The refusal of the Board to grant a license according to the provisions of this act may be reviewed upon application for writ of mandamus or otherwise by any court of general jurisdiction having jurisdiction of the place for which the application for license was made, and if such court shall determine that such action was without good cause, it shall order the Board to issue such license.

Sec. 19. Duration of license. Licenses herein provided shall be granted for a period of one calendar year, or portion thereof, remaining at the time of making application for said license, but where application is made for a portion of such calendar year there shall be no reduction of the license fees provided herein because of such fact. All licenses shall expire December 31st of the year for which issued, and application for the renewal of licenses shall be made during the month of December of each year. Once a license has been granted under the provisions of this act, the Board may refuse to renew the same only for violation of this act or the sanitary code or other rules and regulations established hereunder, unless otherwise provided by law.

Sec. 20. Contents of license—Fee. Licenses herein provided for shall specify the date of issuance, the period which is covered, the name of the licensee, and the place licensed. Such licenses shall be conspicuously

displayed at all times in the place thereby licensed, and all constables, sheriffs and police officers shall see to it that every person selling foods and conducting a "restaurant" within his jurisdiction has procured a license so to do. The fee for such license shall be Ten Dollars (\$10.00) for restaurants located in cities of the first and second class, and Five Dollars (\$5.00) for restaurants located in towns and other political subdivisions.

Sec. 21. Board may suspend or revoke license—Review. In addition to any other penalties prescribed by this act, the Board shall have power on its own motion or on complaint, after investigation and hearing, at which the licensee shall be afforded an opportunity to be heard, to suspend and/or revoke any license for any violation of the provisions of this act, or of any sanitary or other rule or regulation adopted by the Board, or of any of the terms, conditions or provisions of the license by the licensee or any of the agents, servants or employes of such licensee. Notice of suspension or revocation, as well as any required notice of hearing, shall be given by mailing the same in writing to the licensee at the address contained in the license. No suspension shall be for a longer period than six (6) months. Whenever a license is suspended or revoked, no part of the fees paid therefor shall be returned to the holder. Suspension or revocation of licenses may be reviewed, upon application for writ of mandamus, or otherwise, by any court of general jurisdiction having jurisdiction of the place for which the application for license was made, and if such court shall determine that such action was without good cause, it shall order the Board to reinstate such license.

Sec. 22. Sanitary rules and regulations. The code of sanitary rules and regulations, hereinbefore provided, shall include provisions for the initial and periodic examination by the Board, or other competent medical authority, of all employes engaged in the handling of "Foods," and shall also include provision specifying and regulating the matter of places and the conditions under which "food" shall be prepared for consumption, and such other sanitary rules as the Board shall deem necessary. Such rules may be modified and changed from time to time. It shall be the duty of every licensee under the provisions of this act to see that the code of sanitary rules and regulations is enforced in the place for which the license is granted. A licensee failing to enforce such rules and regulations shall be deemed guilty of a misdemeanor and punishable as hereinafter provided in this act.

Sec. 23. Violation of article—Penalty. Any person violating any of the provisions of this act or any of the provisions of the sanitary code hereby established shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed Five Hundred Dollars (\$500.00) or imprisonment in the county jail for not more than ninety (90) days, or both such fine and imprisonment. It shall be the duty of district attorneys of the several districts of this state to prosecute for violations of this act as for other crimes and misdemeanors.

Sec. 24. Funds paid to state treasurer daily—Disposition of funds. All funds and money collected under the provisions of this act shall be

paid over daily by the Board to the state treasurer, and said state treasurer shall place 10 per centum (10%) of the money so received in the general fund, and the balance credited by him to the "State Restaurant Fund." Out of the funds and moneys so received, the state treasurer shall pay the salaries and expenses of the deputies, inspectors and employes, necessary for the administration of this act, which expenses, including salaries and otherwise, shall in no event exceed the amount collected. The balance of such fund, not necessary for salaries and expenses of the Board, remaining in the hands of the state treasurer at the end of any biennial period, shall be credited by him to the general fund of the state. The payment of salaries and expenses as herein provided shall be upon vouchers authorized by the Board and signed by the auditor of state.

RESTAURANT ACT—RULES AND REGULATIONS

Colorado State Board of Health

IN CONFORMITY WITH THE STATE RESTAURANT SANITATION LAW THE FOLLOWING RULES AND REGULATIONS WERE ADOPTED AT A REGULAR MEETING OF THE BOARD HELD DECEMBER 1, 1936.

"Restaurant" shall mean an establishment provided with special space and accommodations wherein, in consideration of payment, meals are habitually furnished to guests, or a place where food is prepared for human consumption to be consumed upon the premises, and whose principal business is the sale of meals, and in which room nothing is sold except meals, food, drink and tobaccos. Any establishment connected with any business whatsoever, excepting the hotel business and railway dining cars or any room in any place whatsoever wherein any business is conducted excepting the sale of meals, foods, drinks and tobaccos, or hotel business, is hereby declared not to be a restaurant. (Quoted from Colorado Restaurant Law, Section 2, Paragraph "c".)

Every restaurant not operated in connection with a railway dining car or hotel shall be required to be completely partitioned or separated from any other business, and equipped with substantial doors at entrances and exits. For the purpose of these Regulations, the term "restaurant" shall include the kitchen, if an adjoining kitchen is maintained, and any and all storage or other rooms appurtenant to the dining room or kitchen.

Every restaurant shall be housed in a weather-proof building of approved construction, and provided with ample space consistent with the number of its employes and the number of guests served at maximum capacity.

All walls, ceilings, tables and their coverings, floors, etc., shall be kept in a clean and sanitary condition.

Every room, basement or cellar occupied or used in connection with any restaurant for the preparation, storage, sale or distribution of food or food products shall have a dry floor made of concrete or of approved impervious material.

All plumbing shall conform with the Colorado State Plumbing Code.

The aprons, smocks, or other outer clothing of employes who handle food products shall be of a material that is readily cleansed and made sanitary. Employes who handle food products shall be required to keep their hands, uniforms and persons clean at all times.

Every restaurant shall be properly lighted and ventilated.

Precautions must be taken to prevent insects, vermin, rats or mice from entering the kitchen, pantries or store-rooms, and all other places where provisions are kept.

All toilet-rooms, urinals and dressing-rooms shall be entirely separated from compartments in which food products are stored, handled or prepared. They shall be sufficient in number, ample in size, and fitted with modern lavatory accommodations, including toilet paper, soap, running water, sanitary paper towels, etc. They shall be properly lighted, suitably ventilated, and kept in a sanitary condition.

The rooms or compartments in which food products are prepared, stored, or otherwise handled shall be lighted and ventilated in a manner acceptable to the State Board of Health, and shall be so located that odors from toilet-rooms, catch-basins, etc., do not permeate them.

Employers and employes of all restaurants engaged in the handling or preparation of food shall obtain a permit card as required by the state law. The permit card shall be kept on file in the restaurant at all times, and shall be renewed every six months.

Every restaurant shall have an adequate supply of "SAFE" water, and all drinking fountains shall be of an "approved" sanitary type. Common drinking cups will not be permitted.

All kitchen utensils, dishes, trays, glassware, silverware, etc., must be kept clean and sanitary at all times. No dishes or glassware, cracked or chipped on the top surface or inside, may be used or kept in the kitchen or dining room of any restaurant.

The water from which dishes, glasses, cutlery or cooking utensils are removed from final rinsing or washing must be suitable for drinking purposes with reference to the bacteriological analysis, and the total bacterial count at 37° C. shall not exceed 100 per c.c. For this purpose, all utensils shall be immersed in an approved chlorine solution, which must contain at least 50 parts per million of available chlorine (C. L. 1921, Rule 51).

Canned goods, when opened, or prepared foods, shall not be stored in tin or zinc containers.

Each sink shall have available hot and cold water at all times.

Fly-tight metal garbage cans with tight-fitting covers must be used. Adequate provision must be made for the collection and removal of all garbage at least once each day, and disposed of in a sanitary and approved manner.

Dogs shall not be allowed in restaurants at any time (except the "Seeing Eye Dogs" that are leading blind persons), and cats shall not be allowed where food is cooked or served.

"SECTION 11. Any person violating any of the provisions of this act or any of the provisions of the Sanitary Code hereby established, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed Five Hundred Dollars (\$500.00) or imprisonment in the county jail for not more than ninety days, or both such fine and imprisonment. It shall be the duty of the district attorneys of the several districts of this state to prosecute for violations of this act as for other crimes and misdemeanors." (Colorado Restaurant Law, Section 11.)

REGULATIONS

PERTAINING TO FOOD AND DRUGS

Rule 1. Articles subject to federal jurisdiction—Original packages. The provisions of the Colorado Food and Drugs Act do not apply in the case of articles of food and drugs remaining in original packages and the subject of interstate commerce under the federal jurisdiction. The term "original package" as used in Section 1 of the act is the original package, carton, case, can, box, barrel, bottle, vial, or other receptacle put up by the manufacturer or dealer, to which the label is attached, or which may be suitable for the attachment of a label, making one complete package of the food or drug article. The original package contemplated includes both the wholesale and the retail package.

When for any reason an adulterated or misbranded article of food or drug passes beyond the federal control of interstate commerce within the state, it immediately becomes subject to all the provisions of the Colorado Food and Drugs Act, and the shipper or dealer liable to all the penalties imposed thereby.

Rule 2. Collection and identification of official samples. Food and drug inspectors are hereby authorized to collect samples of food and drug products for analysis, as are also the health officers of cities, towns and counties of the state.

An official sample is one upon which prosecution may be based. The following rules governing the collection and preparation of official samples must be observed:

- a. Samples may be purchased in the open market.
- b. Collectors shall collect representative samples.
- c. If in bulk, the marks, brands or tags or accompanying printed or written matter shall be noted.
- d. Samples taken from food and drug products sold in bulk shall be immediately enclosed in suitable containers and sealed by the inspector collecting such samples.
- e. The inspector shall write upon the seal, in ink or indelible pencil, the date of taking sample, his serial number and his name in full, for the purpose of identifying said sample.

f. Inspectors' seals shall be so attached that the sample may be opened by the analyst without destroying the identification marks.

g. Samples sold in sealed packages or other containers shall, for the purpose of identification, be sealed and marked by the collector in the manner above described.

h. In all cases where samples are taken for analysis a like sample sealed and marked for identification, as in the case of the original sample, shall, upon request, be left with the vendor or his agent. In the case of samples taken from bulk, the sample left with the vendor shall be a part or division of the original sample taken for analysis.

i. Whenever a sample is taken for bacteriological examination such sample and a duplicate thereof shall be placed in properly sterilized receptacles furnished by the Division of Food and Drugs.

j. Inspectors shall keep a permanent record of all samples collected, which record shall include identification marks and dates noted upon the seal, together with the name of the person or persons from whom purchased, all material statements appearing upon the label, such as indicate the nature or composition of the drug or food product, and the date and manner of delivery of such sample to the Food and Drug Commissioner.

k. Samples collected for analysis shall be delivered without unnecessary delay to the Food and Drug Commissioner.

Rule 3. Methods of analysis. Unless otherwise directed by the State board of Health, the methods of analysis employed shall be those prescribed by the Association of Official Agricultural Chemists and the United States Pharmacopoeia.

In cases where the food sample under investigation is of a perishable nature, or where the adulteration is due to decomposition or to the presence of filthy, decomposed or putrid animal or vegetable substance, which may readily be disclosed by physical examination, such examination may be made by the Food Commissioner or Food Inspectors, and action based thereon.

Rule 4. Hearings. When the analysis or examination of an official sample shows that an article of food or drug is adulterated or misbranded within the meaning of this act, the Food and Drug Commissioner shall give notice to the party or parties against whom prosecution lies under this act for the manufacture, sale or shipment of the adulterated or misbranded product, and fix a time and place at which said party or parties may be heard.

Unless otherwise ordered by the State Board of Health, the Food and Drug Commissioner shall conduct all such hearings, and in all cases wherein it shall appear that the provisions of this act have been violated, shall give notice to the district attorney of the proper judicial district. Said notice to the district attorney shall include all material facts in connection with the case, together with an authenticated copy of the report of the analyst or other officer making the examination, and a transcript of all evidence submitted and all matters considered at such hearing.

Hearings shall be private and confined to questions of fact. The parties interested therein may appear either in person or by attorney, and may submit proper interrogatories to be propounded by the officer conducting the hearing. Such hearing shall not include the right of cross-examination.

The purpose of the hearing herein required is to discover all material facts in connection with each case wherein a violation of the Food and Drugs Act is alleged, and to this end the Food and Drug Commissioner shall permit the widest possible latitude as to the scope of the inquiry and the nature of the evidence submitted.

Employees of this department are not permitted to disclose any of the evidence submitted or matters considered at hearings except as such may be certified to the district attorney for action.

Rule 5. Publication. When a judgment of the court shall have been rendered there may be a publication of the findings of the analyst or examiner, together with the decision of the court. These publications may be in the form of circulars, notices of judgment or bulletins as the Food and Drug Commissioner may direct, and shall not be made prior to thirty days after judgment. If an appeal be taken from the judgment of the court, notice of appeal must be included in the notice of judgment or other publication.

Nothing in this regulation shall be construed as prohibiting the publication of the annual or biennial report of the Division of Food and Drugs, containing the records of condemnation of food and drug products.

Rule 6. Standards for drugs. A drug bearing a name recognized in the United States Pharmacopoeia or National Formulary, without any further statement respecting its character, shall be required to conform in strength, quality and purity to the standards prescribed or indicated for a drug of the same name recognized in the United States Pharmacopoeia or National Formulary, official at the time.

Rule 7. Standards for foods. Except as specific standards for foods may be established by the laws of the State of Colorado, or by the Colorado State Board of Health, the Division of Food and Drugs will recognize as official the standards which have been or may hereafter be adopted by the Department of Agriculture of the U. S. Government. In the enforcement of this regulation, reasonable tolerance will be allowed for variations in chemical composition due to differing climatic and soil conditions.

Standards officially adopted will from time to time be published in bulletins issued by the department.

Rule 8. Guaranty. Section 8 of the Food and Drugs Act transfers from the dealers criminal liability for sale or shipment within the state of adulterated or misbranded foods or drugs provided such dealer is able to establish a guaranty from the jobber or manufacturer from whom the goods were purchased.

In such cases the guarantor is subject to the penalties prescribed by the act.

Such adulterated or misbranded foods or drugs are not thereby exempt from action for seizure and confiscation.

The form of guaranty to be used is immaterial except in that it must be dated, must identify the particular goods covered, and must be signed by a responsible person residing within the jurisdiction of the state courts.

It is preferable that a guaranty attach to the bill of lading or other invoice of goods covered.

The Division of Foods and Drugs will recognize, as fulfilling the requirements of the state act, a general or blanket guaranty, complying with the provisions as to form set forth herein, by which all goods bearing a manufacturer's name or sold under his brands are guaranteed to comply with the requirements of the State Food and Drugs Act, provided such general guaranty has been accepted and relied upon in good faith by the dealer.

The use of any legend or design upon the label of a package of food or drug, which in any manner indicates that the said food or drug product has been examined and approved or guaranteed by the Division of Food and Drugs of the State Board of Health, will be deemed a misbranding.

RULES RELATING TO ADULTERATIONS

Rule 9. Coloring matter in foods and confectionery. Harmful or poisonous dyes, whether of mineral or vegetable origin, which may render a food injurious to health, may not be added to a food product.

The use of any dye, harmless or otherwise to color or stain a food in a manner whereby damage or inferiority is concealed is specifically prohibited by law.

No objection will be made to the use in food products and confectionery of the following named dyes and blends thereof, when certified to the U. S. Secretary of Agriculture in the manner provided by the federal rules and regulations, provided such dyes are not used in a manner contrary to the Food and Drugs Act and to these regulations.

Dyes listed in A. C. Green's 1904 edition of the Schultz Julius Systematic Survey of the Organic Coloring Matters:

Red Shades—

107 Amaranth.

56 Ponceau 3R.

517 Erythrosin.

Green Shade—

435 Light Green S. F. Yellowish.

Orange Shade—

85 Orange 1.

Yellow Shades—

94 Tartrazine.

4 Naphthol Yellow Shade.

Blue Shade—

692 Indigo disulfoacid.

Rule 10. Adulteration of confectionery. Terra alba, barytes, talc and chrome yellow are specifically prohibited in confectionery, as are harmful or poisonous colors and flavors or mineral substances, or other ingredient deleterious to health. Vinous, malt or spirituous liquors or narcotic drugs are not permitted.

The term "narcotic drugs" includes all drugs mentioned in Section 7 of the Food and Drugs Act relating to foods, their derivatives and preparations, and all other drugs of a narcotic nature.

No objection will be offered to the use of certified colors, when such colors are used for coloring purposes only.

No objection will be offered to the use for flavoring purposes of extracts, etc., containing alcohol.

Rule 11. Substances mixed and packed with foods—Non-food substances—Substitutions. No substance may be mixed or packed with a food product which will reduce or lower its quality or strength. Not excluded under this provision are substances properly used in the preparation of food products for clarification or refining, and eliminated in the further process of manufacture. Under this regulation it is forbidden to add non-food substances to a food product for the purpose of increasing its weight or bulk or of reducing the cost of such product.

Rule 12. Coloring, powdering, coating and staining.

a. The use of harmful coloring matter in food products is prohibited. Coloring matter may properly be used in compounds, imitations and blends. Its use in natural food products will be regarded as evidence of concealment of damage or inferiority.

b. The reduction of a substance to a powder to conceal inferiority in character is prohibited.

c. The term "powdered" means the application of any powdered substance to the exterior portion of articles of food, or the reduction of a substance to a powder.

d. The term "coated" means the application of any substance to the exterior portion of a food product.

e. The term "stain" includes any change produced by the addition of any substance to the exterior portion of foods which in any way alters their natural tint.

Rule 13. Natural poisonous or deleterious ingredients. Any food product which contains naturally a poisonous or deleterious ingredient does not come within the provisions of the Food and Drugs Act, except when the presence of such ingredient is due to filth, putrescence, or decomposition.

Rule 14. Preservatives. The Division of Food and Drugs of the State Board of Health will regard as adulterated under Section 6, Paragraph 5 of the act, any food article which contains formaldehyde in any quantity whatever, or which contains other harmful preservative, or other added poisonous or deleterious ingredient which may render such article injurious to health.

Prohibited substances. Formaldehyde, salicylic acid or sodium salicylate, boric acid or borax are prohibited.

Sulphur compounds. The federal ruling with regard to sulphur dioxide is hereby adopted, to-wit: No prosecution will be instituted in the case of the application for bleaching purposes of the fumes of burning sulphur to those food products which contain acetaldehydes, sugars, etc., with which sulphurous acid may combine, if the total amount of sulphur dioxide in the finished product does not exceed 350 milligrams per liter in wines or 350 milligrams per kilogram in other food products, of which not over 70 milligrams is in a free state.

Sodium benzoate. No objection will be offered to the use of sodium benzoate in foods provided the containers of such foods are plainly labeled to show the presence and amount of such preservative used.

Copper salts. Food products colored with copper salts will hereafter be regarded as adulterated.

Saccharin. The use of saccharin in foods will hereafter be regarded as an adulteration.

Preservatives in meat products. There may be added to meat or meat food products common salt, sugar, woodsmoke, vinegar, pure spices and saltpeter. Benzoate of soda may be added to meat or meat food products which are placed in containers or packages with proper labels, plainly showing the presence and amount of such preservative. The use of all other preservatives in meat or meat food products is prohibited.

RULES RELATING TO MISBRANDING

Rule 15. General rules and definitions—Label.

a. The term "label" as used in Section 7 of the Food and Drugs Act refers to any printed, pictorial or other matter upon or attached to any package of food or drug product, or any container thereof, subject to the provisions of this act.

b. The principal label shall contain all information specifically required by the Food and Drugs Act, without intervening descriptive or explanatory matter. All required information shall be in the English language, and where printed, in not smaller than 8 point (brevier) capitals, except that smaller type will be permitted in case the size of the package will not permit the use of 8 point type.

Statements of weight, measure or numerical count, or of artificial coloring, or of imitation flavoring, or of the use of chemical preservatives, where required, shall also appear upon the principal label.

c. Descriptive matter upon the label shall be free from any statement, design or device regarding the article or the ingredients or substances contained therein, or quality thereof, or place of origin, which is false or misleading in any particular.

The term "design" or "device" applies to pictorial matter of every description and to abbreviations, characters, or signs for weights, measures, or names of substances.

Rule 16. Articles without a label. Except where specific information is required by the law to appear upon the label, the sale or transportation of food and drug articles in unlabeled packages is not prohibited.

A food or drug product which is an imitation of, or offered for sale under the name of another article must be labeled in such a manner as to distinguish it clearly from the article simulated.

A food or drug article which is incompletely labeled as to the names and quantities of ingredients required to be declared, or in any other particular, will be deemed misbranded.

The law of misbranding applies equally in the case of foods sold from bulk quantities in retail or counter packages, or in restaurants, hotels, or in mercantile establishments, for immediate consumption, as in the case of foods sold in package form.

It shall be the duty of the Food and Drug Commissioner, by such means as may be found practical and efficacious, to prevent deception and fraud in the sale of food and drugs, and to require that the most complete information as to the nature and composition of food and drug articles be given to the consumer, in all particulars wherein specific information is required by the Food and Drugs Act.

Rule 17. Character of name. No food or drug product shall be sold or offered for sale under a false or deceptive name.

A simple or unmixed food product shall be designated by its common name in the English language.

In case of drugs, whether simple, mixed or compound, the nomenclature employed by the official editions of the United States Pharmacopoeia and the National Formulary shall obtain.

An article containing more than one food product or active medicinal agent is misbranded if named after a single constituent, or if the name be fashioned in such a manner as to mislead or deceive the purchaser as to the true nature or composition of the article.

The use of a geographical name in connection with a food or drug article not actually produced or manufactured in that place, will be deemed a misbranding, except when by reason of long usage such geographical name has come to represent a generic term and is used to indicate a style, type or brand. In all cases where such generic term is used, the name of the place of manufacture or production of the article must appear upon the principal label.

Rule 18. Name and address of manufacturer. The name of the manufacturer or producer is not required to appear upon the label. If any name be given, it must be the true name. The words "Packed for" or "Distributed by" shall be added in case the name which appears upon the label be not that of the actual manufacturer or producer. All statements with regard to the name of the manufacturer or producer must be true and correct in every particular.

The name of the place where manufactured or produced need not be given except in case of mixtures or compounds sold under distinctive

names, or of food or drug articles sold under generic names of geographical significance.

Rule 19. Distinctive names. A distinctive name is a trade, arbitrary or fancy name which clearly distinguishes a food product, mixture or compound from any other food product, mixture, or compound.

A food mixture or compound, which contains no added poisonous ingredient, or ingredient deleterious to health, will not be deemed misbranded if sold under its own distinctive name; Provided, however, that it be labeled to indicate the name of the place where such article was manufactured or produced.

Such distinctive name must not represent any one simple constituent of the mixture or compound; nor give false indication of character, origin, or place of manufacture; nor lead the purchaser to suppose that it is any other food product.

Food mixtures or compounds sold under distinctive names shall not be imitations of other articles, whether simple, mixed, or compound, nor be offered for sale under the name of other articles.

The terms "mixture" and "compound" are interchangeable and indicate the result of putting together two or more food products.

Rule 20. Compounds, imitations or blends without distinctive names. The term "blend" applies to mixtures of like substances, not excluding harmless coloring or flavoring matter.

The term "imitation" applies to any counterfeit or fraudulent simulation of an article of food or drug.

A food compound or mixture which does not contain added poisonous or deleterious ingredient will not be deemed misbranded if plainly labeled to show that it is a compound, imitation or blend, with the word "compound," "imitation" or "blend," as the case may be, plainly stated upon the principal label of the package in which it is sold.

Rule 21. Labeling of compounds, imitations or blends. Food compounds, or mixtures, whether sold under distinctive names, or labeled to indicate that they are compounds, imitations or blends, are not exempt from the general provisions of the Food and Drugs Act, and of these regulations, relating to the labeling of food products.

All statements required to appear upon the label, and all things prohibited, apply equally in the case of such food mixtures or compounds as in the case of other food products.

Rule 22. Trade formulae. Manufacturers of proprietary foods are not required to disclose trade formulae except as may be compelled by special acts of legislation relating to food products, or in so far as it may be found necessary to secure freedom from adulteration or misbranding. If any statement with regard to ingredients or the proportion thereof be made, it must be a true and correct statement.

Rule 23. Waste materials. An article made up wholly or in part from refuse materials, fragments, or trimmings shall be deemed misbranded, if using the name of the material from which such substances

are derived, without such qualification as will clearly show the nature of the raw material used in the preparation of the article.

Rule 24. Substitution.

a. When a substance of a recognized quality commonly used in the preparation of a food or drug product is replaced by another substance not injurious or deleterious to health, the name of the substituted substance shall appear upon the label.

b. When any substance which does not reduce, lower or injuriously affect its quality or strength is added to a food or drug product, other than that necessary to its manufacture or refining, the label shall bear a statement to that effect.

Rule 25. Substances named in drugs or food.

a. The term "alcohol" is defined to mean common or ethyl alcohol. No other kind of alcohol is permissible in the manufacture of drugs except as specified in the United States Pharmacopoeia or National Formulary.

b. The words alcohol, morphine, opium, etc., and the quantities and proportions thereof, shall be printed in letters corresponding in size with those prescribed in Rule 15, paragraph b.

c. A drug product, or a food product except in respect to alcohol, is misbranded in case it fails to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, heroin, cocaine, alpha or beta eucaine, chloroform, cannabi indica, chloral hydrate, acetanilide, or any harmful coal tar product, or any derivative or preparation of any such substances contained therein.

d. A statement of the maximum quantity or proportion of any such substances present will meet the requirements, provided the maximum stated does not vary materially from the average quantity or proportion.

e. In case the actual quantity or proportion is stated it shall be the average quantity or proportion.

f. The following are the principal derivatives and preparations made from the articles which are required to be named upon the label:

Alcohol, Ethyl (Cologne spirits, grain alcohol. Rectified spirits, Spirits and Spirits of Wine):

Derivatives—Aldehyde, Ether, Ethyl acetate, Ethyl nitrate, and Paraldehyde.

Preparations containing alcohol—Bitters, Brandies, Cordials, Elixirs, Essences, Fluid extracts, Spirits, Sirups, Tinctures, Tonics, Whiskies and Wines.

Morphine Alkaloid:

Derivatives—Apomorphine, Dionine, Peronine, Morphine acetate, Hydrochloride, Sulphate and other salts of morphine.

Preparations containing morphine or derivatives of morphine: Boughird, Catarrh snuff, Chlorodyne, Compound powder of morphine, Crayons, Elixirs, Granules, Pills, Solutions, Syrups, Suppositories, Tablets, Triturates and Troches.

Opium Gum:

Preparations of opium—Extracts Denarcotized opium, Granulated opium and Powdered opium, Bougies, Brown mixture, Carminative mixtures, Crayons, Dover's powder, Elixirs, Liniments, Ointments, Paregoric, Pills, Plasters, Sirups, Suppositories, Tablets, Tinctures, Troches, Vinegars and Wines.

Derivatives—Codeine, Alkaloid, Hydrochloride, Phosphate, Sulphate, and other salts of codeine.

Preparations containing codeine or its salts—Elixirs, Pills, Sirups and Tablets.

Cocaine, Alkaloid:

Derivatives—Cocaine, hydrochloride, Oleate, and other salts.

Preparations containing cocaine or salts of cocaine—Cocoa leaves, Catarrh powders, Elixirs, Extract, Infusion of cocoa, Ointments, Paste, Pencils, Pills, Solutions, Syrups, Tablets, Tinctures, Troches and Wines.

Heroin:

Preparations containing heroin—Sirups, Elixirs, Pills and Tablets.

Alpha and Beta Eucaïne:

Preparations containing Alpha and Beta Eucaïne—Mixtures, Ointments, Powders and Solutions.

Chloroform:

Preparations containing chloroform—Chloranodyne, Elixirs, Emulsions, Liniments, Mixtures, Spirits and Sirups.

Cannabis Indica:

Preparations of cannabis indica—Corn remedies, Extracts, Mixtures, Pills, Powders, Tablets, and Tinctures.

Chloral Hydrate (Chloral U. S. Pharmacopoeia, 1890):

Derivatives—Chloral acetophenonoxium, Chloral alcoholate, Chloralamide, Chloralimide, Chloral orthoform, Chloralose, Dermio, Hypnal, and Uraline.

Preparations containing chloral hydrate or its derivatives—Chloral camphorate, Elixirs, Liniments, Mixtures, Ointments, Suppositories, Sirups and Tablets.

Acetanilide (Antifebrine, Phenylacetamide):

Derivatives—Acetyhenetidine, Citrophén, Diacetanilide, Lactophénin, Methoxy-acetanilide, Methylacetanilide, Para-Iodacetanilide, and Phenacetine.

Preparations containing acetanilide or derivatives—Analgesics, Antineuralgics, Antirheumatics, Cachets, Capsules, Cold remedies, Elixirs, Granular effervescing salts, Headache powders, Mixtures, Pain remedies, Pills and Tablets.

g. In declaring the quantity or proportion of any of the specified substances the names by which they are designated in the act shall be used, and in declaring the quantity or proportion of derivatives of any of the specified substances, in addition to the trade name of the deriva-

tive, the name of the specified substances shall also be stated, so as to indicate clearly that the product is a derivative of the particular specified substance.

h. In the case of alcohol the expression "quantity" or "proportion" shall mean the average percentage by volume in the finished product. In the case of the other ingredients required to be named upon the label the expression "quantity" or "proportion" shall mean grains or minims per ounce or fluid ounce, and also, if desired, the metric equivalents therefor, as milligrams per gram or per cubic centimeter, or grams or cubic centimeters per kilogram or per liter; provided, that these articles shall not be deemed misbranded if the maximum quantity or proportion be stated.

Rule 26. Premises subject to inspection. All buildings or premises, occupied, used or maintained for the manufacture, storage, sale or distribution of food or drug products shall be open at all reasonable times to inspection by the State Board of Health or authorized employes, agents, inspectors or other officials thereof.

All cars, trucks or vehicles used by common carriers in interstate commerce shall in like manner be open to inspection.

Authorized agents, inspectors, or other officials of the State Board of Health shall at all reasonable times have access to the records of express, freight and transportation companies or others engaged in the business of common carriers, in all matters relating to the sale or transportation within the state of foods or drugs.

Rule 27. Organization of the division of foods and drugs. The Division of Food and Drugs shall consist of a food and drug commissioner and such food and drug inspectors, clerks, stenographers and other employes as may be required to carry out the purposes of the Food and Drugs Act.

All such employes shall be appointed by the State Board of Health under the provisions of existing laws.

All official orders shall be issued in the name of the State Board of Health.

All actions at law instituted by the Division of Food and Drugs shall be maintained under the authority of the State Board of Health.

The Division of Food and Drugs shall enforce the Food and Drugs Act of 1907; the Pure Food and Sanitary Inspection law of 1913; the State Narcotic Drugs Act, and all other acts or parts of acts remaining unrepealed upon the statute books which relate to the adulteration or misbranding of foods or drugs, except where statutory provision has been made for the enforcement of such acts by other departments.

The Food and Drug Commissioner shall be the official head of the division, and under the authority of the State Board of Health, shall do and perform all acts and things necessary to the enforcement of the laws hereinbefore mentioned. He shall provide for the adequate inspection, supervision and control of the production, manufacture, sale and distribution of food and drug products within the state, and shall cause to be kept full and complete records of such inspection.

Rule 28. Articles intended for technical or scientific purposes or to be used in the mechanical arts. Wherever goods ordinarily used as food articles for human consumption are manufactured, transported or sold within the state, the presumption will arise that such goods are so manufactured, transported or sold for food purposes, unless they are labeled in a manner which will clearly indicate that they are for technical or scientific purposes or for use in the mechanical arts.

Whenever necessary to the protection of the public health, the Food and Drug Commissioner shall require that such products be denatured in such a manner as to preclude their use for food purposes.

Rule 29. Foods prepared for export and for interstate commerce. Food and drug articles prepared for export to foreign countries do not come within the provisions of the State Food and Drugs Act, provided such articles are not prepared or packed in violation of the laws of such foreign country.

Food and drug products intended for export shall be fully labeled to indicate that they are to be exported.

If such products shall at any time be sold or offered for sale, or given away within the state they immediately become subject to the provisions of the State Food and Drugs Act.

Food and drug products intended for interstate commerce are not exempt from the provisions of the state act, until such time as they have actually entered interstate commerce.

Rule 30. Statement of weight or measure. If any statement of weight or measure appears upon the label of a package of food it must be true and correct statement in terms of minimum weight or minimum measure, and is required to appear upon the principal label. Reasonable tolerance for discrepancies due to different atmospheric conditions will be allowed.

Rule 40. Sanitation of foods and drugs. The floors, side walls, ceilings, furniture, receptacles, implements, and machinery of every establishment or place where foods, drugs or beverages are manufactured, stored, sold, offered for sale, or distributed, and all cars, trucks and vehicles used in the transportation of food products, shall at no time be kept in an unclean, unhealthful and insanitary condition. For the purpose of this regulation, unclean, unhealthful and insanitary conditions shall be decreed to exist if foods or drugs in the process of manufacture, preparation, packing, storing, sale, distribution or transportation are not securely protected from flies, dust, dirt, and as far as may be necessary, by all reasonable means from all other foreign or injurious contamination; and if the refuse, dirt, and the waste products subject to decomposition and fermentation incident to the manufacture, preparation, packing, storing, selling, distributing and transporting of food are not removed daily; and if all trucks, trays, boxes, baskets, and all knives, saws, cleavers and other utensils and machinery used in moving, handling, cutting, chopping, mixing, canning and all other processes are not thoroughly cleaned daily; and if the clothing or hands of operatives, employes, clerks or other persons therein employed are unclean.

Rule 41. The side walls and ceilings of every bakery, confectionery, hotel and restaurant kitchen shall be well plastered, wainscotted or ceiled with metal or lumber, and shall be oil-painted, or kept well lime-washed; and all interior woodwork in every bakery, confectionery, hotel and restaurant kitchen shall be kept well oiled or painted with oil paints and be kept washed clean with soap and water. Every building, room, basement or cellar occupied or used for the preparation, manufacture, packing, storage, sale or distribution of food susceptible to contamination or damage shall have an impermeable floor made of cement or tile laid in cement, brick, oiled wood, or other suitable material, which can be flushed and washed clean with water.

Rule 42. The doors, windows and other openings of every food or drug producing or distributing establishment shall be fitted during the fly season with self-closing screen doors and wire window-screens not coarser than 12-mesh wire gauze.

Rule 43. Every building, room, basement, or cellar occupied or used for the preparation, manufacture, packing, canning, sale or distribution of foods, drugs, or beverages where the process of production, manufacture, packing, canning, selling or distribution is conducted shall have convenient toilet-room or rooms. The floor of such toilet-rooms shall be of cement, tile, oiled wood, brick or other suitable material, and shall be washed and scoured daily. Such toilets shall be furnished with ventilating-flue or pipe, and with discharge into soil pipes leading from the building in which they are situated. Each toilet-room shall be properly ventilated by a window or ventilating-flue. Lavatories or wash-rooms shall be provided adjacent to toilet-rooms, and shall be supplied with soap, running water and clean towels—excluding roller towels—and shall be maintained in a sanitary condition. Operatives, employes, clerks and all persons who handle the material from which foods or drugs are prepared, or the finished product, before beginning work or after visiting toilet shall wash their hands and arms thoroughly in clean water.

Rule 44. Cuspidors for the use of operatives, employes, clerks or other persons shall be provided whenever necessary, and each cuspidor shall be thoroughly emptied and washed out daily with a disinfectant solution, and about five ounces of such a solution shall be left in each cuspidor while it is in use. No operative, employe or other person shall expectorate on the floor or side walls of any building, room, basement or cellar where the production, manufacture, packing, storing, preparation or sale of any food or drug is conducted.

Rule 45. No person or persons shall be allowed to occupy as a sleeping or dwelling place any room used for a bakeshop, kitchen, dining-room, confectionery, creamery, cheese factory, or place where food is prepared, served or sold.

Rule 46. No employer shall require or permit any person who is affected with open tuberculosis, venereal or other communicable disease to work; nor shall any person who has any of these diseases work in a building, room, basement, cellar or vehicle occupied or used for the pro-

duction, preparation, manufacture, packing, storage, sale, distribution, or transportation of foods, drugs or beverages.

Rule 47. Every person or corporation in charge of, or in control of, or in authority over any of the places mentioned by and described in these regulations, shall be responsible for the condition thereof, and it shall be his or its duty to see that the provisions of these regulations with reference to the condition, arrangement and conduct of such places are carried out.

Rule 48. The sidewalk display of food products is prohibited unless such products are enclosed in a showcase or similar device which will protect them from flies, dust, or other contamination. Food products that necessarily have to be peeled, pared or cooked before they are fit for consumption may be displayed on the sidewalk without cover, provided, that in such display the bottom of the container be at least eighteen inches above the surface of the sidewalk. The sidewalk display of meat or meat products is prohibited.

Rule 49. Confectionery, dates, figs, dried fruits, berries, butter, cheese and bakery products while on sale or display are required to be properly covered to protect them effectively from contamination or damage by flies, dust or vermin.

Rule 50. Eggs. All eggs and poultry sold in the State of Colorado under a trade name shall conform to the requirements of Chapter 128, Colorado Statutes Annotated, 1935.

Rule 51. Sanitation of hospitals, sanitariums, state institutions, restaurants, hotel kitchens, soda fountains and similar places. All dishes (cracked dishes not allowed), cups, glasses, eating utensils and similar articles used in or about hospitals, sanitariums, state institutions, restaurants, hotels, ice cream or soft drink parlors, lunch counter, hot tamale stands, popcorn stands, root beer stands, chili parlors, soda fountains or similar places, must be handled by persons free from communicable disease and with clean hands and kept absolutely sanitary and safe for use of patrons, inmates and employes. In order to do this the various articles must after each usage be thoroughly washed by free use of hot or running water and soap or other cleansing material to remove the gross contamination. This should be followed by thorough rinsing with clean water and immersion in a chlorine solution as follows:

1 ounce chlorinated soda to 2 gallons of water.

This makes a solution containing approximately one hundred parts per million of available chlorine. It should not be allowed to drop below thirty-five parts per million of available chlorine. After the immersion of articles in this chlorine solution they should be permitted to dry and then be wiped with a sterile, fresh laundered towel or napkin. Only in case of an emergency should the articles be wiped before they are dry.

In lieu of the above requirements, steaming or boiling for thirty minutes will be sufficient.

To test the strength of the solution recommended in this rule use formula as follows:

Ortho-toludin 1 gram.

Hydrochloric acid C. P. 100 c.c.

Water 1 liter.

A few drops of this mixture added to the solution of chlorinated soda causes a characteristic color. To test the sterility of the utensil a sterile swab moistened with distilled water may be rubbed on the article, placed in a sterile tube and taken to the laboratory for examination.

Rule 52. Drinking vessels. The use of the common drinking cup is prohibited. See statute, Section 6922, page 199.

Rule 53. Bakeshops and bakery goods. Rooms in which the dough is mixed and the pastry prepared for baking must be well ventilated and lighted. Walls, ceilings, floors, proof-boxes, pans, kneading-troughs and machines must be kept clean. Toilets and lavatories must not be directly connected with the working-rooms, and sewerage pipes must not be led through them.

Rule 54. Before beginning the work and before preparing and mixing the ingredients, the persons engaged in the work must wash their hands and arms thoroughly in clean water. For this purpose sufficient wash-basins, together with soap and clean towels, excluding roller towels, must be provided.

Rule 55. Persons having open tuberculosis, venereal or other communicable disease must not be employed in bakeries.

Rule 56. All windows and doors must be properly screened during the fly season.

Rule 57. The supply of flour must be stored in dry places, where it is protected from all contamination. Water used to coat the bread must be pure, unpolluted and provided fresh every day. The bread and pastry must not be laid on the bare floor.

Rule 58. It is strictly forbidden to sit or lie on any of the tables or shelves which are intended for use for the dough or baked articles. Chairs and benches in sufficient number must be provided.

Rule 59. The working-rooms must be furnished with cuspidors, at least one in each room, which must be emptied and washed out daily with a disinfectant solution and about five ounces of such a solution shall be left in each cuspidor while it is in use. Spitting on the floor is forbidden. Smoking, snuffing, chewing of tobacco or gum is forbidden in the working-rooms while work is in progress or while dough or baked articles are exposed.

Rule 60. The working-rooms must not be used for any purpose other than strictly connected with the preparing and baking of foods; especially must they not be used as washing, sleeping or living-rooms.

Rule 61. Domestic animals must not be kept in or be permitted to enter bakeshops.

Rule 62. All barrels, boxes, tubs, pails, casks, kneading-troughs, machines or other receptacles containing food preparations must be kept covered.

Rule 63. Before bread is taken from the bakeshop, each loaf or double loaf should be placed in a suitable paper bag or be securely wrapped with clean glazed paper. The public is warned against using bread which has been taken from the bakeshop unwrapped.

Rule 64. All bakery goods, such as bread, pies, cakes, rolls, muffins and similar food products, whether in bakeshops, hotels, restaurants, or other places where food is served to the public, must at all times be thoroughly protected from possible contamination by flies or other insects, dust or other means.

Rule 65. Slaughter houses. Every person owning, leasing or occupying any place, room, or building wherein cattle, sheep, swine or poultry are killed or dressed, or any market, public or private, shall cause such place, room, building or market to be kept at all times thoroughly cleansed and purified, and all offal, blood, fat, garbage, manure or other unwholesome or offensive refuse shall be removed therefrom at least once every twenty-four hours, if used continuously, or if only used occasionally, within twenty-four hours after using, and such building, place or premises shall have a suitable floor, made of cement or tile laid in cement, brick or other material, which can be flushed and washed clean with water, and which shall be approved by the State Board of Health. No cesspool or pit for refuse or offensive matter of any kind shall be permitted in the room or building; nor shall swine be kept or fed within 150 feet of the slaughter house. Doors and windows must be screened to exclude flies and side walls and woodwork must be painted or white-washed. When all meats and poultry within slaughter houses are kept in screened rooms or refrigerated rooms, from which all flies are excluded, screen doors and windows may not be necessary.

Rule 66. Slaughter houses are required to be kept in a sanitary condition, and they are declared to be insanitary when the slaughter house is dilapidated and in a state of decay; when the floors or side walls are soaked with decaying blood or other animal matter; when cobwebs or other evidence of filth or neglect are present; when the drainage of the slaughter house or yard is not efficient; when filthy pools or hog-wallows exist in the slaughter house yard or under the slaughter house, when storage hides kept in slaughter house lie in pools of filth, or are infested with maggots, or give out vile odors; when the water supply used in connection with the cleansing or preparing is not pure and unpolluted; when the bones or refuse are not burned or buried; when carcasses are transported from place to place without being covered with clean, white cloths, or if kept in unclean, bad-smelling ice-boxes, refrigerators or storage rooms.

Rule 67. Hogs and poultry shall not be fed any uncooked slaughter house offal or the uncooked flesh of animals.

Rule 68. Sale of meat of diseased animals or poultry or veal of calves less than four weeks old is prohibited.

Rule 69. Sanitary requirements in the transportation of meats, fish, fowl and game. Every dealer in slaughtered fresh meats, fish, fowl, or game, for human food, at wholesale or retail, at any established place, or as a peddler, in the transportation of such food from place to place to customers shall protect the same from dust, flies and other vermin or substance which may injuriously affect it, be securely covering it while being so transported.

COLORADO
STATE DIVISION OF PUBLIC HEALTH



**HOSPITALS, MATERNITY AND
CONVALESCENT HOMES**

LAWS, RULES AND REGULATIONS
(Revised 1942)

Issued by the
COLORADO STATE BOARD OF HEALTH
424 State Office Building
DENVER

LAWS, RULES AND REGULATIONS

Relating to

HOSPITALS, MATERNITY AND CONVALESCENT
HOMES

LAWS

(From Chapter 78, Health—Colorado Statutes Annotated, 1935)

Section

61. Regulations governing hospitals for contagious diseases.
124. Report of hospital superintendents.
133. Hospitals—Maternity homes—Licensed.
134. Same—Application—Issuance.
135. Licenses—Refusal—Revocation—Notice.
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149. Not to operate a hospital without a license—State Board of Health to make rules—Violations of sections—License revoked.
150. Liberal constructions in order to safeguard interests of illegitimate children—Known fathers to pay expenses.
151. Violations of sections—Penalty.

Sec. 61. Regulations governing hospitals for contagious diseases. All such hospitals shall be subject to the rules and regulations of the board of health or a committee appointed by such board for that purpose; but no such hospitals shall be established within one hundred yards of any inhabited house situated in an adjoining county without the consent of such adjoining county. (L. '93, p. 385, sec. 36; R. S. '08, sec. 5065; C. L., sec. 926.)

Sec. 124. Report of hospital superintendents. All superintendents or managers, or other persons in charge of hospitals, alms houses, lying-in or other institutions, public or private, to which persons resort for treatments

of diseases, confinement, or are committed by process of law are hereby required to make a record of all personal and statistical particulars relative to the inmates in their institution, at the date of approval of this article, that are required in the form of the certificate provided for by this article, as directed by the state registrar; and thereafter such records shall be by them made for all future inmates at the time of their admission, and in the case of persons admitted or committed for medical treatment of disease, the physician in charge shall specify, for entry in the record, the nature of the disease and where in his opinion it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself, if it is practicable to do so; and when they cannot be obtained, they shall be secured in as complete manner as possible from the relatives, friends or other persons acquainted with the facts. (L. '07, p. 246, sec. 17; R. S. '08, sec. 387; C. L., sec. 986.)

Article V

HOSPITALS, LYING-IN HOSPITALS AND MATERNITY HOMES

Subdivision 1. Private Hospitals—Dispensaries*

Sec. 133. Hospitals—Maternity homes—Licensed. It shall be unlawful for any person, persons, partnership, association, company or corporation to open, conduct or maintain any hospital, dispensary or other institution for the treatment or care of the sick or injured, or to engage in, carry on or conduct the business of receiving or caring for girls or women approaching or during childbirth, or to advertise or hold out to the public the carrying on of such a business or the providing of a place for carrying on of such a business without first having obtained a license therefor from the State Board of Health of Colorado. (L. '09, p. 411, sec. 1; C. L., sec. 1053.)

For definition of a maternity hospital, see § 144 of this chapter.

Sec. 134. License—Application—Issuance. An application for such license shall be made to the secretary of the board of health, upon such form and in such manner as shall be adopted and prescribed by such board. The said board shall have authority to administer oaths, to subpoena witnesses and to take testimony in all matters relating to issuing, refusing or revoking such license. The said board shall issue licenses to such applicants furnishing satisfactory evidence of fitness to conduct and maintain such institution in accordance with the provisions of this subdivision and the rules and regulations adopted by such board; and such license shall be signed by the president and attested by the secretary of said board and have the seal thereof affixed thereto. (L. '09, p. 412, sec. 2; C. L., sec. 1054.)

Sec. 135. Same—Refusal—Revocation—Notice. Licenses may be refused to applicants not complying or meeting with the requirements of this subdivision and of the rules and regulations of the board. The licenses may be revoked for like reasons; provided, that such applicants shall be

*This subdivision is superseded by §§ 139-143 of this chapter in so far as it applies to maternity homes. See also §§ 144-151 of this chapter.—Ed. note.

notified of the time and place at which hearing shall be held by the board in relation to the granting and refusing or revoking of licenses, and in case a protest or complaint is made against the issuing or retaining of a license already issued, to or by any applicant or applicants, such applicant or applicants shall be furnished with a copy of such protest or complaint, and shall be notified of the time and place of the hearing in connection therewith. (L. '09, p. 412, sec. 3; C. L., sec. 1055.)

Sec. 136. Quarterly report. Any person, persons, partnership, association, company or corporation maintaining any hospital, dispensary or other institutions for the treatment or care of the sick or injured shall quarterly on the first day of January, April, July and October make a report to the State Board of Health, of the number and names of the people in charge or employed in such institution, and if physicians, the number of their licenses to practice medicine in this state, with such other information as may be required by the rules and regulations of said board, and said board shall have power to investigate and have free access to such institutions at any time. (L. '09, p. 412, sec. 4; C. L., sec. 1056.)

Sec. 137. Disposal of children. No child shall be sold or disposed of for any valuable consideration by any of the persons or organizations subject to the provisions of this subdivision, and no child shall be given away or otherwise disposed of by them or any of them, except by legal adoption in a court of record, without first obtaining a permit from the state bureau of child and animal protection, which may issue such permit after due investigation into the fitness of the applicant for such child. (L. '09, p. 413, sec. 5; C. L., sec. 1057.)

Sec. 138. License—Fee—Revoked for cause—Penalty. All licenses shall be issued upon the payment of a fee of one dollar (\$1.00), and may be revoked at any time by said board for any of the causes set forth in Section 135 of this chapter, or for the failure of the holders thereof to comply with any of the rules and regulations of said board, or to make the reports as herein provided for; and any person, persons, partnership, association, company or corporation opening, conducting or maintaining any institution, as herein defined, for the treatment and care of the sick or injured, without first having obtained a license therefor, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). (L. '09, p. 413, sec. 6; C. L., sec. 1058.)

Subdivision 2. Lying-In Hospitals—Maternity Homes

Sec. 139. Maternity homes and hospitals—License. It shall be unlawful for any person, persons, firm, corporation, society, association or company to engage in, carry on or conduct the business of receiving, or caring for girls or women approaching or during child-birth, or to advertise or hold himself out to the public as carrying on such business or providing a place for carrying on such a business without first obtaining a license from the State Board of Health and a license from the state

bureau of child and animal protection. (L. '11, p. 503, sec. 1; C. L., sec. 1059.)

For definition of a maternity hospital, see § 144 of this chapter.

Sections 144 to 151 of this chapter provide for the regulation of maternity hospitals receiving unmarried women and apparently supersede §§ 139 to 143 of this chapter in so far as they relate to maternity hospitals receiving unmarried women.—Ed. note.

Sec. 140. License—Application—Issuance. Applications for licenses shall be made to the secretary of the board of health and to the secretary of the bureau of child and animal protection upon such forms and in such manner as shall be prescribed by the respective boards. The said board and the said bureau shall have authority respectively to administer oaths, to subpoena witnesses and to take testimony in all matters relating to issuing, refusing and revoking said licenses. The said board and the said bureau shall issue licenses to such applicants as furnish satisfactory evidence to them respectively of their fitness to conduct and maintain such a business and such a place in accordance with the provisions of Sections 139 to 143 of this chapter and the rules and regulations adopted by said board and said bureau. Such licenses shall be signed by the president and attested by the secretary of the said board and bureau respectively and have the respective seals thereof affixed thereto. (L. '11, p. 503, sec. 2; C. L., sec. 1060.)

Sec. 141. Same—Refusal—Revocation—Protests—Hearings. Licenses may be refused to applicants not complying with the requirements of Sections 139 to 143 of this chapter and of the rules and regulations of the said board and bureau respectively. Licenses may be revoked for like reasons; provided, that applicants and licensees shall be notified of the time and place at which hearings will be had by the board and bureau respectively in relation to the issuing, refusing or revoking of licenses. In case a protest is made against the issuing or retaining of any license the applicant or licensee respectively shall be furnished with a copy of such protest or complaint and shall be notified of the time and place of the hearing in connection therewith. (L. '11, p. 504, sec. 3; C. L., sec. 1061.)

Sec. 142. Disposition of children. No child shall be sold or otherwise disposed of for any valuable consideration by any of the persons subject to the provisions of Sections 139 to 143 of this chapter. No child shall be given away or otherwise disposed of, except by legal adoption in a court of record, without first obtaining a permit for such disposition in each case from the state bureau of child and animal protection, which may issue such permit after due investigation into the fitness of the applicant for such child. (L. '11, p. 504, sec. 4; C. L., sec. 1062.)

Sec. 143. Licensees' reports—Penalties. Licensees shall at any time make such reports and furnish such information as may be required by the said board and the said bureau respectively. Licenses may be revoked at any time for failure to comply with the rules and regulations of the said board and bureau respectively or for failure, refusal or neglect to furnish reports such as are herein provided for or for any violations of the provisions of Sections 139 to 143 of this chapter. Any person violating

any of the provisions of Sections 139 to 143 of this chapter shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment for not more than one year in the county jail, or by both such fine and imprisonment. (L. '11, p. 504, sec. 5; C. L., sec. 1063.)

Sec. 144. Maternity hospital defined. Any place into which women are received to be cared for, before, during or while recovering from parturition shall be considered a maternity hospital. A "maternity hospital" is further defined as any place where more than three maternity cases are cared for during one calendar year. This definition shall be construed as to include (a) maternity hospitals operated exclusively for maternity cases; (b) a department, ward or section for maternity cases; (c) a private home or other place making a business of receiving maternity cases, including institutions commonly known as maternity or lying-in hospitals and homes. (L. '25, p. 348, sec. 1.)

Sec. 145. Colorado State Board of Health to direct and enforce regulations. The Colorado State Board of Health shall have the power to direct and enforce regulations concerning maternity hospitals in the State of Colorado as above described, receiving unmarried women for confinement; and maternity hospitals before accepting such prospective mothers for confinement shall inform them that they will be required to nurse the child during the period of confinement in said maternity homes, if physically able to do so. Exception to this rule will be made only on the certification of the attending physician that the mother is physically unable to nurse her baby. (L. '25, p. 348, sec. 2.)

Sec. 146. Adoption of children. No person licensed by the Colorado State Board of Health to maintain a maternity hospital shall advertise, or undertake or promise that he will adopt any child or children received or born in any such hospital, nor shall he hold out any promise, reward or inducement to any parent to part with any such child or children. Nor shall any such child be given away by any parent or parents or in any manner given out for adoption except through the agency and with the consent of the board of control of the state home for dependent and neglected children; and it shall be the duty of said board of control to take care that the welfare and interests of such child are safeguarded and protected. (L. '25, p. 349, sec. 3.)

Sec. 147. Name of patient reported to Colorado State Board of Health. Whenever an unmarried woman who, within ten days after delivery of a child, or a woman who is pregnant is received for care in a maternity hospital, the licensee of such maternity hospital or the officer in charge of such hospital shall report the name of said woman to the Colorado State Board of Health, immediately upon receiving into the maternity hospital said maternity patient as heretofore described. (L. '25, p. 349, sec. 4.)

Sec. 148. Records not public. No officer, member or agent of the Colorado State Board of Health or of any local board of health, where any such licensed home or hospital is located, nor any keeper of such house or

hospital shall divulge or disclose any of the contents of its records relating to illegitimate children born therein or brought thereto as inmates, except as shall be required by a court, or for the information of the Colorado State Board of Health or of the local board of health where said house or hospital is located. (L. '25, p. 350, sec. 5.)

Sec. 149. Not to operate hospital without license—State Board of Health to make rules—Violation of sections—License revoked. No person, firm, association, or corporation shall conduct a maternity hospital that receives unmarried women for confinement without a license so to do from the State Board of Health. And said board is empowered to prescribe and enforce reasonable regulations for the granting, refusing, revoking or suspending of any such license; provided, that any violation of Sections 144 to 151 of this chapter by a licensee shall be ground for the revocation of any such license, and any such license may be revoked in any instance where, in the opinion of the State Board of Health, the public welfare requires such action. (L. '25, p. 350, sec. 6.)

Sec. 150. Liberal construction in order to safeguard interests of illegitimate children—Known fathers to pay expenses. Sections 144 to 151 of this chapter shall be liberally construed with a view to effecting their purpose, which is primarily to safeguard the interests of illegitimate children, and those of undetermined legitimacy born in maternity hospitals as herein defined, and secure for them the nearest possible approximation to the care, support and education that they would be entitled to receive if born of lawful marriage, which purpose is hereby acknowledged and declared to be the duty of the state, and also to secure from the fathers, when known, of such children, the payment of moneys necessarily expended in connection with their birth. No maternity hospital shall receive a child without its mother, except in cases of emergency. (L. '25, p. 350, sec. 7.)

Sec. 151. Violation of sections—Penalty. Any person, association of persons, or corporation violating any provisions of Sections 144 to 151 of this chapter shall be fined not more than three hundred dollars and not less than one hundred dollars, and his license shall be revoked. (L. '25, p. 351, sec. 8.)

REGULATIONS

Regulation 1.

The State Board of Health is authorized by law to make such regulations as are necessary "to insure the licensing" of any institution which receives and cares for sick or injured persons, or which is operated for the purpose of receiving and caring for sick or injured persons, or which receives or cares for or shelters any woman or girl who may be approaching childbirth, or during childbirth, or after childbirth or which receives or cares for aged or disabled persons.

Regulation 2. Application for License.

No corporation, association, society, company, partnership, persons or person shall open any institution as defined in Regulation 1, or accept and

receive for care any person who may be sick or injured, or any woman or girl for shelter or care who is approaching childbirth, in labor, or who is recovering after childbirth, or care for or shelter aged or disabled persons, until such corporation, association, partnership, company, society, person or persons shall have made application to the secretary of the State Board of Health for a license therefor, and until such institution shall have been inspected by the Hospital Inspector or Maternity Home Adviser of the State Board of Health and a license or provisional permit granted for the operation thereof.

All applications for an original license shall be made on forms furnished by the State Board of Health upon request and shall be accompanied by the sum of \$1.00 in cash, which will not be refunded whether the license is granted or refused.

Regulation 3. Provisional Permit.

Upon such application to the secretary an inspection of the proposed institution shall be made forthwith by a Hospital Inspector or Maternity Home Advisor of the State Board of Health, and if the said inspector shall approve the application for a license, said inspector may issue a provisional permit for temporary operation of the institution for a period not to exceed six months or until such time as the State Board of Health may grant or refuse the issuance of the license applied for. Such provisional temporary permit shall become ineffective and void immediately when and if the State Board of Health refuses to grant the applicant the said license as provided hereafter.

Regulation 4. Method of Procedure Upon Application.

Favorable action will be taken on such applications by the State Board of Health if and when it has been determined by inspection and investigation, and in discretion of the board it appears:

1. That the applicant is of good moral character, capable, trustworthy, and free from infectious diseases.

2. That the proposed institution is a suitable place for conducting the business proposed, and that the equipment and personnel to be employed therein conform to the minimum standards required by the statutes and these regulations.

3. That the inspector has consulted the local health officer in an incorporated city or town, or the local health board elsewhere, and his or their opinion has been weighed; Provided, however, that in isolated communities, where no health officer or board of health can be consulted, the inspector shall consult with and consider the opinions of the licensed physicians resident in the community in making recommendations to the board.

4. That the applicant and the institution conform to the requirements of the statutes of the State of Colorado and the regulations of the State Board of Health, and that the public interest and the public health will be safeguarded and promoted by the issuance of such license.

5. That no material protest or protests have been made by any persons interested against the issuance of such license.

6. That the home or institution is located within the correct zoning district and that the location and operation of such institution may be approved by the city manager of the town or city in which it is located.

Regulation 5. Licenses, Reissue of.

Any such license, when issued and approved by the State Board of Health, shall be for a period of only one year from the date of said approval, and shall be subject to revocation as provided by statute and the regulations.

At least two months before the expiration date of any such license the licensee shall make application upon a form to be provided by the State Board of Health for renewal thereof, and if upon inspection the inspector of the State Board of Health shall approve the institution operated by the licensee, a renewal license for a like period shall be issued.

Failure to make application for renewal of license when due shall be cause for revocation of the license and for such action against the licensee as may be provided by statutes and regulations of the State Board of Health. No fee will be charged for the issuance of a renewal license.

Regulation 6. License Refusal.

In event that in the discretion of the State Board of Health the applicant or institution does not comply with or meet the requirements of the statutes, or of these rules and regulations of the State Board of Health, then the applicant shall be notified of the time and place at which the State Board of Health will conduct a hearing upon his application, at which the applicant will be given a full opportunity to show cause why the license should be issued, and at which time and place the applicant may be present and present any or all witnesses upon his behalf. Notice of such hearing shall also be given to any and all persons who may have protested against or objected to the issuance of such license, and these persons will also be granted a full hearing and will be allowed to present any and all witnesses who may desire to show cause why such license should be issued.

If any protest or protests shall be made by any person or persons against the issuance of such license, the board shall require such protests to be made in writing and to be signed by the protester, or protesters, and copies of such written protest or complaint shall be furnished to the applicant in ample time for said applicant to prepare an answer and defense thereto before such time as may be set for a hearing to be conducted by the State Board of Health.

Regulation 7. License Revocation.

Any such license issued may be revoked by the State Board of Health, after due hearing as provided herein, when it shall have cause to believe that any of the statutes of the state or any of these regulations are being violated by the licensee. Before such revocations shall be effective, notice of the time and place at which a hearing will be conducted by the State Board of Health upon the question of the revocation of such license will be given to the licensee, and in the said notice the licensee shall also be

informed of the reason why it is alleged that such license should be revoked.

If any demand for the revocation of a license shall be made by any person or persons against the holder of a license, the board may require such complaint to be made in writing and signed by the protester or protesters and a copy of such written complaints shall be furnished to the licensee in ample time for said licensee to prepare an answer thereto before the time which may be set for a hearing to be conducted by the State Board of Health.

Regulation 8. License Transfer Prohibited.

No license issued for any institution as defined herein shall be transferable. If any such institution defined herein shall be transferred in any manner to the ownership or management of others than the original licensee, or shall change the residence or name of said institution, application for a new license must be made immediately to the State Board of Health as required by statute and Regulation 2 of these Regulations. Licenses which are not in use should be returned to the State Board of Health and will be kept on file there.

Regulation 9. Posting of License or Permit.

The license shall be posted in a conspicuous place in the office of such institution, where it may be easily seen by the public.

Regulation 10. Penalty.

No corporation, association, society, company, partnership, persons or person operating, conducting or maintaining any institution, as herein defined, for the treatment or care of the sick or injured, without first having obtained a license therefor, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined a sum of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).

Regulation 11. Quarterly Reports.

Quarterly reports of all patients treated shall be submitted to the State Board of Health on January 1st, April 1st, July 1st and October 1st, respectively, of each and every year. Quarterly reports of all employes shall be submitted simultaneously; forms for such reports shall be provided by the State Board of Health. Failure to submit these forms shall be grounds for revocation of license.

Regulation 12. Inspection of Institution.

Any institution to which these regulations apply (see Regulation 1) shall be subject to visitation or inspection at any time by the Hospital Inspector or Maternity Home Advisor of the State Board of Health. The proprietor or person in charge of the home and hospital shall give the inspector or advisor of the State Board of Health all information required, and shall afford him every facility for examining the records, inspecting the premises, and seeing the inmates thereof.

DEFINITIONS

- (a) **"Registered Graduate Supervision"** means that a Colorado registered graduate nurse is in charge and that registered graduate or practical nursing service is available.
- (b) **"Isolation"** means that facilities shall be available and used for the isolation of infected patients. All necessary precautions shall be taken to prevent the spread of infection to other persons.
- (c) **"Laboratory Facilities in the Hospital"** means a competent pathologist is in charge, who shall be a physician licensed by the State Board of Medical Examiners, with full or part-time technician in the laboratory; the laboratory shall be equipped for urinalysis, blood examination, tissue examinations, bacteriology, serology, etc.
- (d) **"Laboratory Facilities Available"** shall mean that an accredited laboratory is available to examine specimens as indicated in "Laboratory Facilities"; that a competent technician is available or on call.
- (e) **"Nursing Staff"** for class A and B hospitals shall mean that a Colorado registered graduate nurse is in charge, and that all nurses employed in the hospital are Colorado registered graduate nurses or student nurses.
- (f) **"Record System"** means that records are kept of admissions, diagnosis, laboratory, X-ray reports, examinations, progress, treatment, condition on discharge, cause of death, operative records, and newborn records. The record system shall include records required by Sec. 124, Chap. 78, 1935 Colorado Statutes Annotated pertaining to records for vital statistics purposes.
- (g) **"Satisfactory Food Arrangement."**
 - 1. Satisfactory arrangements must be made for the serving of well-cooked, well-planned, and adequate meals.
 - 2. All milk used, other than powdered or evaporated, must be Grade "A" pasteurized or Grade "A" raw, if it is commercially available.
 - 3. Kitchen facilities should include refrigeration and adequate sink space. There should be provision for sanitary disposal of garbage and waste.
 - 4. That there is an adequate amount of hot water at all times for dish washing.
 - 5. That all food handlers must have up-to-date health cards required for food handlers by the State Board of Health.
 - 6. Formulae in maternity hospitals and homes should be prepared with sterile precautions in a manner to meet the approval of the inspector.
- (h) **"Staff."** A "Designated Staff" may be either closed or open to physicians licensed by the State Board of Medical Examiners only, and who hold cards to the hospital.
- (i) **"Sterilization"** shall mean that where the practice of surgery or obstetrics is contemplated, there must be approved autoclave sterilization of all supplies; that oven sterilization is not permitted, except where otherwise provided, as in the case of maternity homes; that

satisfactory water and instrument sterilization is maintained and that there is hot and cold running water in the delivery or operating rooms or adjacent thereto.

- (j) "X-ray Available" shall mean that a physician licensed by the State Board of Medical Examiners is on call to provide portable X-ray for diagnosis, or that an accredited X-ray laboratory is available for service.
- (k) "X-ray in Hospital" shall mean that X-ray equipment for diagnosis is maintained in the hospital, with a physician licensed by the State Board of Medical Examiners in full or part-time charge of same; and that a registered technician is in residence.

GENERAL REQUIREMENTS

A. General Facilities

1. The buildings to be used to house institutions to which these rules and regulations apply (see Rule 1) shall be in good repair and suitably located. There shall be no fire hazards.

2. The plumbing and drainage, or other arrangements for the disposal of excreta and infectious discharges and household wastes, shall be in accordance with the best sanitary practice, and the regulations of the State Board of Health.

3. All outside doors, windows and other outside openings, shall be screened against flies and mosquitoes, and adequate protection furnished against vermin.

4. Floors and walls shall be in good condition and of a character to permit frequent washing.

5. The rooms and wards shall be of sufficient size, and arranged for adequate nursing care. Rooms shall be outside rooms, well lighted, heated and ventilated.

6. Each patient shall have and occupy a separate bed located in a room or ward which allows for at least three feet of space between beds. The window space shall be one-fifth of the floor space, a minimum of 750 cubic feet of air space per adult patient. A separate room is desirable for each patient but two or more patients may be placed in the same room when adequate space and screens between beds are provided.

7. Provision shall be made for the isolation of febrile and contagious diseases.

8. An adequate supply of clean bedding, bed linen and towels shall be kept on hand at all times. After discharge of any patient, the bed, bedside furniture and rubber sheet used by the discharged patient shall be washed with hot water and soap. All bedside equipment shall be properly sterilized, and mattress and pillows properly aired and the bed remade with fresh linens.

9. All equipment which is not individual shall be properly sterilized after being used by any patient.

10. Adequate facilities shall be provided for the sterilization of instruments, water and supplies as needed.

11. There shall be an adequate and safe supply of hot and cold running water in the building.

12. There shall be a sufficient supply of dishes, cooking utensils, and bedside equipment.

13. All drugs and solutions shall be correctly and distinctly labeled and kept in a cupboard for that purpose only. All narcotics must be kept locked.

14. A permanent book form of records should be kept by hospitals that receive and dispense narcotic drugs. This form should be a record of the dispensing of narcotics for at least a period of two years. It should clearly state: (1) Source of supply; (2) Date; (3) Amount and (4) Kinds of drugs received. The central dispensing records should include to which floor or ward of hospital—what and how much dispensed, giving the specific date. The receiving records of the floor or ward should check against the dispensing record. It should include accurate records of the amount, naming the kind of narcotic, the patient, the date and physician.

These records should be checked daily.

In cases where the institution does not purchase its own narcotic supply, but patients have prescriptions filled from local drug stores, if the institution receives the prescription for the patient and administers the prescribed doses, any left-over narcotics at time patient leaves institution should be given to the patient, if the physician desires them to be, or kept in the institution and surrendered to the Federal Narcotic Bureau.

GENERAL

The hospitals' rules regulating visitors, patients and employees and the general conduct of the institution shall be such as to insure the prevention and spread of disease. Such institutions shall conform with such regulations and instructions of local health authorities and of the State Board of Health as may be issued from time to time which pertain to the sanitation and health regulations of these establishments.

CLASSIFICATIONS OF HOSPITALS

Hospitals and homes shall be classified as follows: General Hospital "A", General Hospital "B", Limited Hospitals, Maternity Hospitals, Maternity Homes, Nursing and Convalescent Homes, Home for the Aged and Disabled, Contagious Disease Hospitals, Tuberculosis Hospitals or Sanitaria and Tuberculosis Convalescent Homes.

MINIMUM REQUIREMENTS FOR

A. General Hospital "A" License.

1. Minimum standards as defined by American College of Surgeons, the American Medical Association, or the American Osteopathic Association. Must be approved by the American Hospital Association or the American Osteopathic Association for membership.

If not acceptable to the above, the hospital must have:

1. A designated staff.
2. A record system.
3. Laboratory and X-ray facilities; in hospital or provided.
4. A Colorado registered graduate nursing staff.
5. A satisfactory food arrangement.
6. Adequate sterilization facilities and equipment.
7. Adequate operating room, surgical facilities, and equipment.
8. Adequate maternity facilities equal to those required for maternity hospitals and homes.
9. Adequate isolation facilities.

B. General Hospital "B" License—To secure a General Hospital "B" License, the institution must meet the following requirements:

1. A staff—not organized.
2. Colorado registered graduate nurse in charge of nursing.
3. Provision for laboratory and X-ray needs.
4. Adequate sterilization equipment.
5. Adequate operating room, surgical facilities and equipment.
6. Adequate maternity facilities.
7. Adequate isolation facilities.
8. Satisfactory food arrangements.

C. General Limited Hospital License—To secure a limited hospital license, the institution must have the following requirements:

1. A registered graduate nurse or a licensed physician in charge of nursing.
2. Adequate sterilization equipment.
3. Suitable operating room equipment to meet special needs (as obstetrical).
4. Only emergency major surgery—allows all minor surgery and obstetrics.
5. A record system.
6. No contagious diseases.
7. Laboratory and X-ray facilities available.
8. A satisfactory food arrangement.

D. Hospitals "A", "B" and General Limited must have the following facilities for Maternal and Infant care:

1. A registered graduate nurse in charge of nursing.
2. Adequate sterilization.
3. Laboratory facilities and X-ray facilities available.
4. A suitable nursery and delivery room.
5. Provided isolation facilities for mothers and infants.
6. Only maternity cases.
7. Delivery table or bed which is equipped for operation deliveries and the treatment of obstetrical shock.
8. Incubator suitable for premature infants, keep oxygen available for use.
9. Standard sterile uterine pack in the delivery room at all times.

10. Equipment for venoclysis (glucose and normal saline) and for transfusion of blood must be provided for in, or immediately adjacent to, the delivery room.
11. An instrument for determining the blood pressure.
12. A heated bed for the newborn infant.
13. All instruments commonly accepted as needed for delivery, repair of perineal lacerations, and other procedures necessary for the adequate care of mothers and infants must be provided and maintained.
14. A simple method of aspirating mucous from the throats of the newborn must be provided for.

E. **Maternity Home License**—To secure a Maternity Home License, the institution must have:

1. Not more than three maternity patients at one time.
2. A telephone in the building.
3. An autoclave or some other approved method of sterilizing dressings and supplies.
4. The minimum equipment requirements for maternity homes.
5. Only maternity patients for care.

(NOTE: In extreme rural areas with populations of 2,000 or less, a home of central location, which is both clean and orderly, may be passed upon by the inspector as a suitable place for the physician or physicians in that community to attend deliveries.

These homes must, before being licensed, reach the minimum requirements of a maternity home. Quarterly reports of the patients attended must be kept for the inspector and mailed to her April 1, July 1, October 1, and January 1.)

THE FOLLOWING SHALL APPLY TO BOTH MATERNITY HOSPITALS AND HOMES:

1. The number of maternity cases and infants to receive care in a home or hospital shall appear on a license, and no greater number shall be cared for on the premises at any time. The place for caring for the women and infants shall appear on the license, and no other building or place shall be used for such case.
2. Such license shall also show the name of the maternity hospital or home, the name of the owner, the name of the person in charge, and such other matter as the board may prescribe.
3. In a maternity hospital with a capacity of more than three maternity patients, a delivery room which shall be used for no other purpose shall be provided and maintained, separate and distinct from the bedrooms. This room shall provide or have adjacent to it hot and cold running water.
4. Licenses for maternity homes will not be issued if there are small children in the house, who might bring in infectious or contagious diseases, nor if the house is not suitably arranged for hospitalization of the patients.
5. Roomers, boarders, or overnight tourists shall not be lodged or boarded where maternity cases are cared for.
6. Every maternity patient shall be attended during confinement, and supervised during the puerperium by a licensed physician or registered midwife.

7. A chart shall be kept for each maternity patient and a separate chart for each newborn infant.

8. There shall be a clean newborn nursery. (See Nursery.)

9. Obstetrical patients shall not be kept in the same room with other patients.

10. A definite number of beds shall be designated obstetrical beds. When required, other beds may be used for obstetrical patients, provided the metal parts are thoroughly scrubbed, the mattresses aired, and clean linens provided following their use by other patients.

THE FOLLOWING SHALL BE PROVIDED IN BOTH MATERNITY HOSPITALS AND HOMES:

For Delivery Care

1. Washable walls and floors in rooms where patients are delivered.
2. Facilities for hand scrubbing—sterile brushes and green soap should be provided.
3. Adequate light for day and night deliveries and for suture work.
4. Windows protected from observation.
5. Delivery table or bed.
6. Table for supplies.
7. Covered container for waste.
8. Two sterile basins.
9. Facilities for anesthesia.
10. Facilities for resuscitation.
11. Identification for infants.
12. Receiving blankets warmed.
13. Facilities for isolation and care of premature infants.

Sterile Supplies:

Sufficient amount of linens, dressings and packings.

Minimum sterile linen for each delivery:

3 sheets	12 perineal pads
6 towels	2 gowns
2 cord ties	12 dressings or squares
2 stockings	

Maternal Care

For each patient there shall be the following minimum equipment:

One bed, hospital type preferred, with springs and mattresses in good condition. Mattress should be protected with rubber sheeting.

Bed blocks if low bed is used.

One bedside table, one chair.

Linen and Bedding

1 pillow	3 pillow cases
1 spread—light weight	6 hand towels
3 blankets	4 bath towels
4 sheets, 72"x108"	4 wash cloths
1 mattress pad	2 bed pan covers
1 rubber drawsheet	2 hot water bag covers

Small Equipment for Each Patient

1 bath basin	1 enema outfit for each 10
1 small basin	patients
1 medicine glass	1 bed pan for each patient
1 thermometer	1 hot water bottle
1 small pitcher	1 drinking tube
1 washable tray with dishes and silver	

For Infant Care

Each infant shall be provided with a crib or bassinet with rubber covered mattress, sheets and blankets and removable, washable lining.

Nursery Supplies

1 bathing table— freshly draped	Cotton
1 scale	Adhesive
Sufficient supply of shirts, bands, gowns, diapers, etc.	Cupboard for supplies
1 rectal thermometer	Covered container for soiled diapers
1 bath basin	Nursing bottles and nipples
Receptacle for waste	Container for boiled nipples
Sterile cord dressings	Alcohol
Olive or mineral oil	1 rectal syringe

NURSERY:

1. In a maternity hospital or home a separate nursery which shall be used for no other purpose, shall be maintained.

2. There shall be a separate crib for each infant. Each crib shall be separated from any other crib by a width of at least one (1) foot, allowing **250 cubic feet of air space per infant.**

3. Hot or cold running water shall be provided in or adjacent to the nursery.

4. The nursery shall be clean, well heated, and well ventilated. It is recommended that a wall thermometer be provided to be sure that an even temperature is maintained.

5. Bottles and nipples shall be sterilized after each use, by boiling.

6. Equipment of the nursery shall be limited to furnishings and supplies necessary for the care of infants.

7. An adequate supply of linen must be supplied for the nursery. This should include a sufficient **supply of shirts, bands, gowns, diapers, etc.**

8. No person shall enter the nursery except those immediately concerned with the care of the newborn.

9. The eyes of all newborn infants shall be treated immediately after delivery with a freshly prepared and approved silver solution.

10. It is recommended that an incubator be available in all hospitals or homes where maternity patients are cared for.

11. A means of identification shall be attached to each newborn infant before he is taken from the delivery room, and such means of identification shall not be removed until discharged from the home.

12. Any deformity of an infant born in a maternity home or hospital shall be reported to the Maternity Home Inspector of the State Board of Health within ten days.

13. There shall be isolation of all infants showing suspicious rash or symptoms of infections or contagious diseases.

14. Nursing notes should be kept. This shall include temperature four times a day. The infant's record shall include a physical examination with special reference to deformities or abnormalities, temperature, taken morning and evening, a record of the number and character of stools daily, a record of the condition of the skin, and any bleeding from the umbilical cord or any mucous membrane, and any marked jaundice.

F. **Contagious Disease Hospital**—To secure a license for a contagious disease hospital which does not admit tuberculosis patients, the institution must meet the following requirements:

1. Must have the same classifications standards as those for a General Hospital "A".
2. Must show supervision by the local health department or health officer.
3. Must have sterilization facilities as approved by the State Board of Health Inspector.
4. Must provide adequate sterilization facilities for dishes and utensils and properly sterilize all dishes used for each meal.
5. Must have an incinerator.

G. **Tuberculosis Hospital or Sanatorium**—To secure a license for a Tuberculosis Hospital or Sanatorium, the institution must meet the same requirements as provided for the issuance of a license for a contagious disease hospital. (See additional below.)

H. **Tuberculosis Convalescent Home**—To secure a license for a Tuberculosis Convalescent Home, the institution must meet the requirements as to building, space, equipment and supplies which pertain to all institutions to which these regulations apply. (See above.)

In addition both a Tuberculosis Hospital or Sanatorium and a Tuberculosis Convalescent Home must meet the following requirements:

1. Provide adequate sterilization facilities for dishes and utensils, and properly sterilize all dishes used for each meal.

2. Provide rooms or compartments in which food products are prepared, stored or otherwise handled, which are well lighted or ventilated and in which such food products are protected from contamination against flies, other insects and vermin, and against odors, in a manner acceptable to the State Board of Health and persons shall not be handlers of food who are a menace or offensive to others because of their physical condition.

3. Regulate the collection and disposal of sputum and other infectious materials in a manner to insure the prevention of the spread of disease. Sputum must be immediately deposited in a burnable receiver, which must be kept covered and which will protect the sputum from flies and other vermin. Contaminated receptacles must be disposed of by burning in an adequate incinerator within twenty-four hours of first use.

4. Articles or premises soiled with infectious materials must be promptly disinfected.

5. Have graduate or practical nurse in charge.

6. "Quiet periods" should be observed between 1:00 P. M. and 3:00 P. M. for the benefit of those in need of rest.

I. **Convalescent Home License**—To secure a convalescent home license, the institution must meet the following requirements:

1. Must admit convalescent cases only.
2. Must admit no contagious or infectious cases.
3. Must admit no tuberculosis.
4. Must have graduate or practical nurse in charge.
5. Must admit major surgical cases 10 days post operation only, and minor surgical cases 24 hours post operation.
6. Must admit maternity cases only 7 days post partum.
7. Must admit no pus cases at any time.
8. Must meet the minimum requirements as to the building for Limited Hospitals.
9. Must have satisfactory food arrangements.

J. **Convalescent Home for Care of Aged and Disabled**—To secure a Convalescent Home license, the institution must meet the following requirements:

1. Must admit aged and disabled only.
2. Must have nursing service.
3. Must admit no contagious or infectious diseases.
4. Must admit no tuberculosis.

COLORADO
STATE DIVISION OF PUBLIC HEALTH



MATTRESSES AND BEDDING

LAWS, RULES AND REGULATIONS
(Revised 1942)

Issued by the
COLORADO STATE BOARD OF HEALTH
424 State Office Building
DENVER

MATTRESSES AND BEDDING LAWS

(From Chapter 205, Session Laws of Colorado, 1941)

AN ACT RELATING TO THE MANUFACTURE AND SALE OF MATTRESSES AND BEDDING AND TO PROVIDE A PENALTY FOR THE VIOLATION THEREOF AND TO REPEAL ACTS AND PARTS OF ACTS IN CONFLICT THEREWITH.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. Definitions as used in this Act:

(a) The word "bedding" means and includes any quilted pad, packing pad, mattress pad, hammock pad, mattress, comforter, bunk quilt, sleeping bag, box spring, studio couch, pillow, cushion, or any bag or container made of leather, cloth or any other material, or any other device that is stuffed or filled in whole or in part with concealed material in addition to the structural units and filling material used therein and its container, all of which can be used by any human being for sleeping or reclining purposes. "Bedding" includes pillows which are hereby defined as a bag or case of cloth filled or stuffed with feathers, down, kapok, cotton, hair, wool, or other sanitary filling not prohibited by this Act to be used as a rest or support for the head in reclining or sleeping.

(b) The word "person" means any individual, corporation, partnership, or association.

(c) The term "new material" means any material which has not been formerly used in the manufacture of another article or used for any other purpose.

(d) The term "previously used material" means any material which has been used in the manufacture of another article, or previously used for any other purpose.

(e) The term "second-hand" means any article of bedding which has been previously used but not remade before it is offered for resale.

(f) The words "sell" or "sold" shall, in the corresponding tense, include: Sell, offer to sell, or deliver or consign in sale, or possess with intent to sell, deliver or consign in sale, including bedding stored in warehouses for ultimate purpose of sale.

All words shall include plural and singular, masculine and feminine, as the case demands.

Sec. 2. Infected Materials. No person shall knowingly use in manufacturing or remaking bedding any material that has been used by a person having an infectious or contagious disease, or which has formed a part of bedding so used.

Sec. 3. No person shall knowingly sell bedding that has been used by a person having an infectious or contagious disease.

Sec. 4. Sterilization. No person shall be manufacturing, remaking or renovating bedding for another person, or in manufacturing bedding for sale, use any previously used material which since last used is not sterilized by the following process, or its equivalent, to-wit: Bedding materials shall be placed in an enclosed chamber which shall be heated to a temperature of two hundred degrees (200°) Fahrenheit, which temperature shall be maintained for a period of two (2) hours. The heat may be generated by electric units or any other satisfactory method of heating approved by the State Board of Health.

No person shall knowingly sell any bedding manufactured in whole or in part from previously used material, or second-hand bedding, unless sterilized since last used by the process herein provided.

No person shall engage in the business of sterilizing bedding as provided in this Act without first obtaining a license from the State Board of Health, for which there shall be charged a license fee of five dollars (\$5.00) per calendar year, or any portion thereof; and such person shall apply for a license and set forth the place where the sterilizing apparatus will be located, the type and kind of equipment to be used, the names and addresses of true owners of said sterilizing business, and such other data as the State Board of Health may require from time to time. The State Board of Health shall cause an investigation to be made, and if it is satisfied that the apparatus will comply with the requirements set forth for sterilization, pursuant to this Act, the said license shall be issued. Inspection shall be made from time to time to determine whether the said licensee is fully and faithfully complying with all of the provisions and regulations promulgated as to sterilization.

Sec. 5. Any person who receives bedding to be remade or renovated shall attach thereto at the time of receiving said bedding a tag on which is legibly written the date of receipt and the name and address of the owner or an identification number and keep a record thereof.

Sec. 6. Tagging. No person shall sell bedding to which is not securely sewed by at least one edge, a cloth or clothbacked tag at least two inches by three inches in size, to which has been affixed the adhesive stamp provided in Section 8 hereof.

Upon said tag shall be legibly stamped or printed in English in letters at least one-eighth inch high:

(a) If the materials used in the manufacture of the article of bedding to which the label or brand is to be attached are entirely new, the brand or label shall be as follows: "The materials used in the manufacture of this mattress (or other article of bedding) are entirely new."

(b) If the materials used in the manufacture of the article to which the label or brand is to be attached are partially or wholly previously used materials, the brand or label shall be as follows: "The materials used in the manufacture of this mattress (or other article of bedding) are previously used materials and have been sterilized," with a specific statement of the kind and character of the previously used materials used.

(c) If the article to which the label or brand is to be attached is second-handed, the brand or label shall consist of the following, to-wit:

"This mattress (or other article of bedding) is second-handed and has been sterilized."

(d) In addition to the foregoing every label shall bear the name and address of the manufacturer or vendor of the article of bedding to which it is attached and the name of material or materials used to fill such article of bedding.

Nothing likely to mislead shall appear on said tag, and it shall contain all statements required by this Act and it shall be sewed to the outside covering of every article of bedding sold, manufactured or remade.

The name "felt" shall not be used unless the material has been carded in layers by a Garnett machine.

Sec. 7. No person, other than a purchaser for his own use, shall remove from any article of bedding or deface or alter the tag or stamp required by this Act.

Sec. 8. The State Board of Health is hereby charged with the administration and enforcement of this Act and it shall provide specially designed adhesive stamps for use under Section 6 of this Act. Upon request it shall furnish no less than one thousand (1,000) of said stamps to any person paying in advance \$20.00 per thousand stamps.

Sec. 9. License. No person, except for his own use, shall manufacture, remake or renovate any article of bedding until he has secured an annual license from the State Board of Health, for which he shall pay to said State Board of Health the sum of twenty-five dollars (\$25.00) for any calendar year, or part thereof, for each place of business conducted by such person. The State Board of Health may revoke and void any license so issued to any person guilty of violating this Act, and such person shall not manufacture, remake, renovate or sell any article of bedding until he has shown a proper compliance with the Act and has paid another license fee, whereupon the said State Board of Health shall issue a new license to said person: provided, however, individuals making seventy-five or less quilts per annum or individuals making ten or less mattresses per annum, charitable organizations engaged in philanthropic enterprises, and manufacturers of caskets and burial receptacles shall be exempt from the provisions of this Act.

Sec. 10. All funds paid to the said State Board of Health pursuant to this Act shall be deposited by said State Board of Health with the state treasurer for the State of Colorado.

Sec. 11. There shall be appropriated to the State Board of Health out of any fund available in the state treasury a sum equivalent to the revenue derived from the sale of stamps and license fees, herein provided, for the purpose of employing inspectors to enforce this Act and to defray any other expense incurred in the enforcement thereof.

Sec. 12. Any license required pursuant to the terms of this Act shall be publicly posted upon the premises of the licensee.

Sec. 13. Enforcement. The State Board of Health shall employ a bedding law inspector, or inspectors, whose sole duty shall be to enforce

this Act. Such inspector, or inspectors, shall, as often as practicable, inspect every place where bedding is made, remade, renovated, sterilized or sold, or where previously used material and second-hand bedding is sterilized under this Act. Any inspector so employed to enforce this Act, who has reason to believe that any article of bedding is not tagged as required by this Act, shall have the authority to open the same and examine the materials therein to determine if said filling is of the kind stated on said tag, provided that in opening such bedding he shall use reasonable means not to damage the same, or destroy the value thereof. Said inspector shall also have power to examine any purchase records necessary to determine definitely the kind of material used in said bedding, and he shall have power to seize and hold for evidence any article or material therein possessed or offered for sale contrary to this Act. Such inspectors shall promptly report any violations of this Act to the State Board of Health, which in turn shall report the same to the district attorney of the county wherein the violation has been committed for the purpose of prosecution.

Sec. 14. Any person who fails to comply with any provision of this Act, or who counterfeits the stamps provided for in Section 8, shall be guilty of a violation of this Act. Every stamp so counterfeited and every article of bedding manufactured, remade, renovated, sold or sterilized contrary to this Act shall be a separate offense.

Sec. 15. Penalty for Violation of This Act. Any person guilty of violating this Act, or any section thereof, shall be guilty of a misdemeanor and shall be punished by imprisonment for not more than six (6) months, or by a fine of not more than three hundred dollars (\$300.00), or both, within the discretion of the court.

Sec. 16. The State Board of Health shall have the right to promulgate rules and regulations deemed necessary for the proper enforcement of this Act and not inconsistent therewith.

Sec. 17. If any section, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act, and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, sentences, clauses or phrases be declared unconstitutional.

RULES, REGULATIONS AND ADVICE CONCERNING THE BEDDING LAW

Approved April 18, 1941

These rules and regulations are supplemental to the requirements of this Act, and, where applicable, must be complied with as they have the force and effect of law.

The purpose of these rules and regulations is to assist manufacturers and merchants to properly comply with the law. It includes opinions of the attorney general, rulings and interpretations by the State Board of Health.

Intent of this Act. The intent of this Act is to protect, so far as possible, consumers, dealers, manufacturers, remakers and renovators of articles of bedding against disease, damage or economic loss due to inferior, filthy or contaminated materials being used in the manufacture thereof.

Registration. Every individual, corporation, partnership, or association engaged in the manufacturing, remaking, renovating or selling mattresses or any other article of bedding in the State of Colorado come under this Act and must register with the State Board of Health.

Regulation 1. Definitions as used in this Act:

(a) The word "bedding" means and includes any quilted pad, packing pad, mattress pad, hammock pad, mattress, comforter, bunk quilt, sleeping bag, box spring, studio couch, pillow, cushion, or any bag or container made of leather, cloth or any other material, or any other device that is stuffed or filled in whole or in part with concealed material in addition to the structural units and filling material used therein and its container, all of which can be used by any human being for sleeping or reclining purposes. "Bedding" includes pillows which are hereby defined as a bag or case of cloth filled or stuffed with feathers, down, kapok, cotton, hair, wool, or other sanitary filling not prohibited by this Act to be used as a rest or support for the head in reclining or sleeping.

(b) The word "person" means any individual, corporation, partnership or association.

(c) The term "new material" means any material which has not been formerly used in the manufacture of another article or used for any other purpose.

(d) The term "previously used material" means any material which has been used in the manufacture of another article, or previously used for any other purpose, which is to be renovated or remade for any individual, corporation, partnership or association.

(e) The term "second-hand" means any article of bedding which has been previously used but not remade before it is offered for resale.

(f) The words "sell" or "sold" shall, in the corresponding tense, include: Sell, offer to sell, or deliver or consign in sale, or possess with intent to sell, deliver or consign in sale, including bedding stored in warehouses or in retail stores, for ultimate sale.

All words shall include plural and singular, masculine and feminine, as the case demands.

Regulation 2. Infected Materials. No person shall use in manufacturing or remaking bedding any material that has been used by a person having an infectious or contagious disease, or which has formed a part of bedding so used.

Regulation 3. No person shall sell bedding that has been used by a person having an infectious or contagious disease.

Regulation 4. Sterilization. No person shall be manufacturing, remaking or renovating bedding for another person, or in manufacturing

bedding for sale, use any previously used material which since last used is not sterilized by the following process, to-wit: Bedding materials shall be placed in an enclosed chamber which shall be heated to a temperature of two hundred degrees (200) Fahrenheit, which temperature shall be maintained for a period of two (2) hours. The heat may be generated by electric heating units or any other satisfactory method of heating approved by the State Board of Health. Sterilizing chamber must be equipped with a recording thermometer. Charts shall be kept on record for inspection at all times.

No person shall sell, remake or renovate any bedding manufactured in whole or in part from previously used material, or second-hand bedding, unless sterilized since last used by the process herein provided.

No person shall engage in the business of sterilizing bedding as provided in this Act without first obtaining a license from the State Board of Health, for which there shall be charged a license fee of five dollars (\$5.00) per calendar year, or any portion thereof; and such person shall apply for a license and set forth the place where the sterilizing apparatus will be located, the type and kind of equipment to be used, the name and addresses of true owners of said sterilizing business, and such other data as the State Board of Health may require from time to time. The State Board of Health shall cause an investigation to be made, and if it is satisfied that the apparatus will comply with the requirements set forth for sterilization, pursuant to this Act, the said license shall be issued. Inspection shall be made from time to time to determine whether the said licensee is fully and faithfully complying with all of the provisions and regulations promulgated as to sterilization.

This process may be used for sterilizing material which is not compressed to a degree in excess of the customary compression of cotton felt. Completed articles shall be so spaced as to allow free circulation of hot air; not less than four inches on all sides.

All unsterilized second-hand articles or materials shall be separately stored and completely segregated from new or clean articles or materials.

All second-hand material must be sterilized before going through a picker or a garnetting machine.

The steam pressure process for sterilizing, cleaning and curling feathers, down, hair, wool or any other material derived from an animal or fowl, may be used when approved by the State Board of Health.

The following process is recommended: Material subjected to treatment by live steam for thirty minutes at a pressure of fifteen pounds, or for twenty minutes at a pressure of twenty pounds. Chamber must be steam tight, sufficiently strong to stand the pressure applied, be equipped with a visible steam gauge and necessary valves.

Any process for sterilization, when approved by the State Board of Health, shall be subject to periodic tests and changes recommended from time to time.

It is not mandatory that each establishment have its own sterilizer. It is permissive to have material sterilized by any concern having a certifi-

cate of approval for a sterilizing process. In every case the permit number of the approved process used must be on the tag.

Regulation 5. Any person who receives bedding to be remade or renovated shall attach thereto at the time of receiving said bedding, a tag on which is legibly written the date of receipt and the name and address of the owner or an identification number and keep a record thereof. Records shall be open for inspection at all times.

Regulation 6. Tagging. No person shall sell, remake or renovate bedding to which is not securely sewed by at least one edge, a cloth or clothbacked tag at least two and one-half inches by four and one-quarter inches in size, on the face of which is a space for affixing the adhesive stamp provided in Section 8 hereof.

Upon said tag shall be legibly stamped or printed in English in letters at least one-eighth inch high:

(a) If the materials used in the manufacture of the article of bedding to which the label or brand is to be attached are entirely new, the brand or label shall be made of white material, with black lettering reading as follows: "The materials used in the manufacture of this mattress (or other article of bedding) are entirely new, consisting of * * *" (naming materials).

(b) If the materials used in the manufacture of the article to which the label or brand is to be attached are wholly previously used materials, the brand or label shall be made of yellow material with black lettering reading as follows: "The materials used in the manufacture of this mattress (or other article of bedding) are previously used materials and have been sterilized," with a specific statement of the kind and character of the previously used materials used.

If the article to which the label or brand is to be attached is a remake for an individual or company, the brand or label shall be made of green material with black lettering reading as follows: "This article has been sterilized, renovated, and remade and contains the same material received from owner to which has been added (specifically state the kind and character of material added.)"

(c) If the article to which the label or brand is to be attached is second-hand, the brand or label shall be made of red material with black lettering, reading as follows: "This mattress (or other article of bedding) is second-hand and has been sterilized."

(d) In addition to the foregoing every label shall bear the name and address and registry number of the manufacturer or vendor of the article of bedding to which it is attached and the name of material or materials used to fill such article of bedding. Every tag should have printed at the top, "DO NOT REMOVE THIS TAG—UNDER PENALTY OF LAW."

Nothing likely to mislead shall appear on said tag, and it shall contain all statements required by this Act and it shall be sewed to the outside covering of every article of bedding sold, manufactured, remade or renovated.

The name "felt" shall not be used unless the material has been carded in layers by a Garnett machine.

Regulation 7. No person, other than a purchaser for his own use, shall remove from any article of bedding or deface or alter the tag or stamp required by this Act.

Regulation 8. The State Board of Health is hereby charged with the administration and enforcement of this Act and it shall provide specially designed adhesive stamps for use under Section 6 of this Act. Upon request, it shall furnish in quantities of one thousand (1,000) or multiples thereof of said stamps to any person paying in advance twenty dollars (\$20.00) per thousand stamps. Stamps should be ordered at least two weeks in advance of requirement. These stamps are not interchangeable and must be used only by the firm to which they are issued.

Regulation 9. License. No person, except for his own use, shall manufacture, remake or renovate any article of bedding until he has secured an annual license from the State Board of Health, for which he shall pay to said State Board of Health the sum of twenty-five dollars (\$25.00) for any calendar year, or part thereof, for each place of business conducted by such person. The State Board of Health may revoke and void any license so issued to any person guilty of violating this Act, and such person shall not manufacture, remake, renovate or sell any article of bedding until he has shown a proper compliance with the Act and has paid another license fee, whereupon the said State Board of Health shall issue a new license to said person.

Regulation 10. All funds paid to the said State Board of Health pursuant to this Act shall be deposited by said State Board of Health with the Revenue Department of the State of Colorado.

Regulation 11. There shall be appropriated to the State Board of Health out of any fund available in the state treasury a sum equivalent to the revenue derived from the sale of stamps and license fees, herein provided, for the purpose of employing inspectors to enforce this Act and to defray any other expenses incurred in the enforcement thereof.

Regulation 12. Any license required pursuant to the terms of this Act shall be publicly posted upon the premises of the licensee.

Regulation 13. Enforcement. The State Board of Health shall employ a bedding inspector, or inspectors, whose sole duty shall be to enforce this Act. Such inspector, or inspectors, shall, as often as practicable, inspect every place where bedding is made, remade, renovated, sterilized or sold, or where previously used material and second-hand bedding is sterilized under this Act. Any inspector so employed to enforce this Act, who has reason to believe that any article of bedding is not tagged as required by this Act, shall have the authority to open the same and examine the materials therein to determine if said filling is of the kind stated on said tag, provided that in opening such bedding he shall use reasonable means not to damage the same, or destroy the value thereof. Said inspector shall also have power to examine any purchase records necessary to determine defi-

nately the kind of material used in said bedding; he shall have the power to seize and hold for evidence any article or material therein possessed or offered for sale contrary to this Act. Such inspectors shall promptly report any violations of this Act to the State Board of Health, which in turn shall report the same to the district attorney of the county wherein the violation has been committed for the purpose of prosecution.

Regulation 14. Any person who fails to comply with any provision of this Act, or who counterfeits the stamps provided for in Section 8, shall be guilty of a violation of this Act. Every stamp so counterfeited and every article of bedding manufactured, remade, or renovated, sold or sterilized contrary to this Act shall be guilty of a separate offense.

Regulation 15. Penalty for Violation of This Act. Any person guilty of violating this Act, or any section thereof, shall be guilty of a misdemeanor and shall be punished by imprisonment for not more than six (6) months, or by a fine of not more than three hundred dollars (\$300.00), or both, within the discretion of the court.

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